



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 5]
No. 5]

नई दिल्ली, शनिवार, फरवरी 4, 1978/माघ 15, 1899
NEW DELHI, SATURDAY, FEBRUARY 4, 1978/MAGHA 15, 1899

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड(ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(Other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 28 दिसम्बर, 1977

क्रा०सं० 284.—लोक प्रतिनिधित्व अधिनियम, 1950 (1950 का 43) की धारा 13क की उपधारा (1) और (2) के अनुसरण में, तथा अपनी अधिसूचना सं० 508/मेघा०/77, तारीख 27 जनवरी, 1977 को प्रतिष्ठित करते हुए, निर्वाचन आयोग मेघालय राज्य सरकार के परामर्श से—

- (1) नीचे की सारणी के स्तम्भ 1 में विनिर्दिष्ट मेघालय राज्य में के प्रत्येक जिले के लिए उसके सामने उक्त सारणी के स्तम्भ 2 में विनिर्दिष्ट आफिसर को उस जिले का जिला निर्वाचन आफिसर के रूप में एतद्वारा पदाभिहित करता है; तथा
- (2) उक्त सारणी के स्तम्भ 3 में वह क्षेत्र जिसमें ऐसे प्रत्येक आफिसर को अधिकारिता होगी, एतद्वारा विनिर्दिष्ट करता है।

सारणी

जिले की क्रम संख्या तथा नाम	जिला निर्वाचन आफिसर का पदनाम	अधिकारिता का क्षेत्र
1	2	3
1. पूर्वी खासी हिल्स जिला	उपायुक्त, पूर्वी खासी हिल्स, गिलांग।	पूर्वी खासी हिल्स जिला

1	2	3
2. पश्चिमी खासी हिल्स जिला	(क) उपायुक्त पश्चिमी खासी हिल्स, नोंग-स्टोइन। (ख) उप-खण्ड आफिसर (सिविल), माइरंग।	(क) नोंगस्टोइन उप-खण्ड। (ख) माइरंग उप-खण्ड।
3. जैन्तिया हिल्स जिला	उपायुक्त, जैन्तिया हिल्स, जोवाई।	जैन्तिया हिल्स जिला।
4. पश्चिमी गारो हिल्स जिला	(क) उपायुक्त पश्चिमी गारो हिल्स, तुरा। (ख) उप-खण्ड आफिसर (सिविल), नाच-मारा।	(क) तुरा उप-खण्ड। (ख) नाचमारा उप-खण्ड।
5. पूर्वी गारो हिल्स जिला	उपायुक्त पूर्वी गारो हिल्स, बिलियम नगर।	पूर्वी गारो हिल्स जिला।

[सं० 508/मेघा०/77]

ELECTION COMMISSION OF INDIA

New Delhi, 28th December, 1977

S.O. 284.—In pursuance of sub-section (1) and (2) of section 13AA of the Representation of the People Act, 1950 (43 of 1950),

and in supersession of its notification No. 508/MEG/77, dated 27 January, 1977, the Election Commission in consultation with the State Government hereby :—

(1) designates for each district in the State of Meghalaya specified in column 1 of the Table below the Officer specified against it in column 2 thereof as the District Election Officer for that district; and

(2) specifies the area in respect of which each such officer shall exercise jurisdiction, in column 3 of the table.

TABLE

S. No. and Name of District	Designation of District Election Officers	Area of Jurisdiction
1	2	3
1. East Khasi Hills District	Deputy Commissioner, East Khasi Hills, Shillong.	East Khasi Hills District.
2. West Khasi Hills District.	(a) Deputy Commissioner, West Hills, Nongstoin. (b) Sub-Divisional Officer (Civil), Mairang.	(a) Nongstoin Sub-Division. (b) Mairang Sub-Division.
3. Jaintia Hills District.	Deputy Commissioner, Jaintia Hills, Jowai.	Jaintia Hills District.
4. West Garo Hills District	(a) Deputy Commissioner, West Garo Hills, Tura. (b) Sub-Divisional Officer, (Civil), Baghmara.	(a) Tura Sub-Division (b) Baghmara Sub-Division.
5. East Garo Hills District	Deputy Commissioner, East Garo Hills Williamnagar.	East Garo Hills District.

[No. 508/MEG/77]

नई दिल्ली, 5 जनवरी, 1978

आदेश

क्र० भा० 285.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च 1977 में हुए केरल विधान सभा के लिए साधारण निर्वाचन के लिए 47-मन्नारकाड सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री एम०के० सबसट्टिअन, मेकाग्र बीडू, अगाली (डा०) चुरलम कुलाम, मन्नारकाड ताल्लुक, जिला पालाघाट (केरल), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा प्रपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री एम०के० सबसट्टिअन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० केरल-वि० सं०/47/77]

New Delhi, the 5th January, 1978

ORDER

S.O. 285.—Whereas the Election Commission is satisfied that Shri M. K. Sebastian, Mekattu Veedu, Agali (P.O.), Churulam Kulam, Mannarkkad Taluk, Palghat District (Kerala State), a contesting candidate for general election to the Kerala Legislative Assembly from 47-Mannarkkad assembly constituency, held in March, 1977, has failed to lodge the account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri M. K. Sebastian to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. KL-LA/47/77]

नई दिल्ली, 9 जनवरी, 1978

आदेश

क्र० भा० 286.—यतः, निर्वाचन आयोग का यह समाधान हो गया है कि मार्च 1977 में हुए केरल विधान सभा के लिए साधारण निर्वाचन के लिए 61-चालाकुडी सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री पी०ए० सुब्रामनियम, परमबीकट्टील हाउस, चालाकुडी, त्रिचूर, जिला केरल राज्य लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा प्रपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री पी०ए० सुब्रामनियम को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० केरल-वि० सं० 61/77]

पी० बी० वत्त, प्रवर सचिव

New Delhi, the 9th January, 1978

ORDER

S.O. 286.—Whereas the Election Commission is satisfied that Shri P. A. Subramanian, Parambikattil House, Chalakudy, Trichur District, (Kerala State), a contesting candidate for general election to the Kerala Legislative Assembly held in March, 1977 from 61-Chalakudy assembly constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri

P. A. Subramanian to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. KL-LA/61/77]

P. B. DATTA, Under Secy.

New Delhi, the 20th January, 1978

S.O. 287.—No. 82/BR/1-Ranchi/77.—In pursuance of section 106 of the Representation of the People Act, 1951, the Election Commission hereby publishes the order dated the 7th December, 1977 of the High Court of Judicature at Patna in Election Petition No. 1 of 1977(R).

Election Petition No. 1 of 1977(R)

In the matter of an application under Sections 80A and 81 of the Representation of the People Act, 1951

Shri Kartik Oraon

..Petitioner.

Versus

Shri Laloo Oraon

..Respondent.

For the Petitioner—Messrs K. P. Verma and T. K. Das.

For the Respondent—Messrs Ganga Prasad Rai and Narayan Rai.

PRESENT :

THE HON'BLE MR. JUSTICE CHAUDHARY SIA SARAN SINHA

CHAUDHARY SIA SARAN SINHA, J.—In this election petition under Sections 80A and 81 of the Representation of the People Act, 1951, hereinafter referred to as 'the Act', the petitioner Shri Kartik Oraon has prayed for setting aside the election of the sole respondent Shri Laloo Oraon, the latter having been declared elected as a Member of Parliament from 53, Lohardaga Parliamentary Constituency on 21-3-1977, which election, for the sake of brevity, will be referred to herein after as 'the Election in question'.

2. Certain facts are undisputed and they are these.—After the Constituency was called upon to elect a Member of Parliament, a notice was issued by the Returning Officer, Lohardaga Parliamentary Constituency, hereinafter referred to as 'the Constituency in question', the Deputy Commissioner, Ranchi being the Returning Officer, giving out the programme of that election. Nomination papers were filed from 10-2-1977 to 17-2-1977, the scrutiny whereof was done on 18-2-1977 and the poll took place on 18-3-1977. There were five candidates for this election, namely, the petitioner Kartik Oraon, the respondent Laloo Oraon and Shrimati Elis Dadel, representing the Congress Party, the Janta Party and the Jharkhand Party and their symbols being calf and cow, Haldhar within wheel and Nagara (drum) respectively. The other two candidates, namely, Shri David Munjani and Clement Toppo, were independent candidates. The nomination papers of all these five candidates were validly accepted. The poll took place on 18-3-1977 and the ballot papers were counted on 20-3-1977 at Lohardaga and Latehar. After the counting was over, the respondent Laloo Oraon was declared elected as a Member of Parliament from the Constituency in question on 21st March, 1977.

3. Both the petitioner and the respondent are Oraon but, according to the petitioner, while he is a non-Christian (Hindu), the latter (respondent) is a Christian.

4. The allegation is that the respondent taking advantage of his being a Christian and the petitioner, a non-Christian (Hindu), adopted a device to create hatred among the voters of Christian community against the petitioner by rousing their communal feelings on ground of religion in order to secure the total votes of the Christian community. This the respondent is said to have done by canvassing, talking and delivering speeches by moving from one place to another in the area having substantial population of Christian Community, details whereof is appended in Annexure 'I' to the petition by giving out that the petitioner used to hate and abuse the Christian community and the Christian religion and used to call them as cruel as butchers telling them further that, in these circumstances, the Christians should not vote for the petitioner.

The reporting in a Hindi daily paper, namely, 'Ranchi Express' dated 16-3-1977, has been cited as one of such instances wherein it was stated that the petitioner had said that the Christians were butchers and he would not like the vote of Issai-Kasai, presumably meaning thereby that the Christians (Issai) were Kasai (butchers). It is further stated that because of this propaganda by the respondent, the Christian voters became hostile to the petitioner.

5. Besides creating among the Christian voters against the petitioner by making false propaganda, as aforesaid, the respondent also appealed among the Christian voters in the name of his religion and thus committed the corrupt practices, as enumerated in sub-section (3) and (3A) of Section 123 of the Act.

6. The petitioner further claims that he has got respect for all religion and community and he believes in secularism, his further assertion being that he a sitting Member of the Parliament since 1967 on Congress ticket, having defeated the respondent also in the Parliamentary elections held in the year 1971. The respondent, having published the news item in the 'Ranchi Express' dated 16-3-1977 against the personal character and conduct of the petitioner, which were false and which he believed to be false, and which prejudicially affected the petitioner's election, is also alleged to have committed corrupt practices under sub-section (4) of Section 123 of the Act.

7. It is lastly alleged that the result of election, so far as it concerned the respondent, has been materially affected not only by the alleged corrupt practices, as stated above, but by the improper reception, refusal or rejection of votes and the reception of void votes, the allegation being that, in the counting done on 20-3-1977, large number of ballot papers being more than 70,000 bearing no signature of the Presiding Officers were counted in favour of the respondent, large number of ballot papers having no seal or having seals on the back of the ballot papers and in many cases seals in favour of more than one candidates were counted in favour of the respondent and ballot papers, several thousands in number, having seal in favour of the petitioner were illegally and wrongly rejected.

8. On these grounds the sole prayer of the petitioner is that the election of the respondent from the Constituency in question be set aside.

9. The respondent has filed a written statement alleging, inter alia, non-maintainability of the election petition and its being time barred. The respondent, born as a Hindu, continues to be the same by faith and he has denied that he is a Christian. His assertion is that in the Constituency in question voters are drawn from all communities and there is no division on ground of religion, race or community. As against the allegation of the petitioner that the voters of the Constituency in question are simple in nature and can be easily misled, the assertion on behalf of the respondent is to the contrary, namely, that the voters are conscious and cannot be misled for and against any candidate and it is not easy to influence them by false propaganda regarding the personal character of the petitioner. The respondent being Hindu himself, there was no question of his taking advantage of his being a Christian and adopting a device to create hatred among the Christian voters. The allegation that the respondent created hatred against the petitioner on the Christian voters by telling them that the petitioner called the Christian as butchers as also the allegation of rousing their feelings on ground of religion and community have been totally denied. The respondent has also denied to have made any adverse propaganda against the petitioner and has disclaimed knowledge of the publication in the 'Ranchi Express' dated 16-3-1977 or to have even any remote connection with the same. The assertion in the election petition that the Christians became hostile to the petitioner due to the said publication has also been denied. The allegation in para 25 of the election petition about improper reception, refusal, rejection of any void vote has also been denied. Lastly, the prayer is that the election petition being frivolous, it should be dismissed with costs.

10. On the pleadings the following issues have been framed for decision :—

- (1) Is the election petition maintainable?
- (2) Is the election petition barred by limitation?
- (3) Did the respondent commit corrupt practice within the meaning of section 123(3), (3A) and 4 of the

Representation of the People Act, 1951, as alleged in the election petition?

- (4) Whether counting and scrutiny of ballot papers were done in accordance with law? If not, whether the same materially affected the result of the election?
- (5) Whether the election of the respondent is void and fit to be set aside?
- (6) Whether the respondent Laloo Oraon is a Christian or Hindu by religion.

11. Before I proceed further to take up the various issues, it may be mentioned that on 7-11-1977, the date to which the case was adjourned for the adducing of further evidence by the petitioner, a petition was filed on behalf of the petitioner stating that he did not want to examine any further witness and was not going to press the election petition. This petition was dealt with in order no. 14 dated 7-11-1977 and, in the circumstances stated therein, this election petition is being disposed of in accordance with the provisions of Order XVII Rule 3 of the Code of Civil Procedure.

FINDINGS

Issue No. (1).

12. This issue was not pressed on behalf of the respondent. There is no material on the record to hold that the election petition is not maintainable. This issue is, therefore, decided in the affirmative.

Issue No. (2).

13. This issue also was not pressed on behalf of the respondent and there is nothing on the record to hold the election petition being barred by limitation. According to this issue is also decided in the negative.

Issue Nos. (3) and (6).

14. These two issues being somewhat interlinked, they are taken up together.

15. Undisputedly Respondent Laloo Oraon, as born, was by religion an Adivasi Soinsar by which is meant a person whose religion is not Christianity. According to the petitioner subsequently Laloo Oraon adopted Christianity and thus became a Christian. This has been disputed by the respondent and in support of this fact the Respondent has examined himself being R.W. 2 and has further examined his election agent, Madan Lal (R.W. 1), a practising Advocate, the evidence of both of whom is ex parte that the Respondent Laloo Oraon is not a Christian and that his religion is Soinsar. As against this, although the petitioner has not examined himself in this Court, he examined Bhola Oraon (P.W. 1), Somna Oraon (P.W. 4), Jhon William Minz (P.W. 7), Birsu Oraon (P.W. 8) and Sukhlu Khalko (P.W. 11) to support the adoption of Christianity by the respondent. The evidence of these witnesses for the petitioner is unfit for acceptance. While admitting that Laloo Oraon was formerly an Adivasi non-Christian, P.W. 1 stated that he adopted Christianity subsequently though he was unable to say when did he accept Christianity. He further stated in his cross-examination that he says that Laloo Oraon adopted Christianity because he married a Christian girl. He was, however, not present at the time of marriage of Laloo Oraon with the Christian girl nor this marriage was solemnised in his presence. R.W. 2 admitted that he married a girl who was Christian before her marriage but the marriage ceremony was performed according to Soinsar religion and further that even after his marriage with the Christian girl, he remained Soinsar. P.W. 1 might be a Graduate, as he says, but he appears to be favourably inclined towards the petitioner, as, on his own showing, he had sympathy with the Congress candidate, the petitioner being a Congress candidate in the last election. According to Somna Oraon (P.W. 4), the respondent adopted Christianity after his marriage with the Christian girl though, according to P.W. 11, the respondent adopted Christianity prior to his marriage with the Christian girl. P.W. 4 admitted that he did not attend the marriage of the respondent with the Christian girl and that the respondent did not adopt Christianity in his presence. Lastly, he said that his evidence regarding the respondent adopting Christianity is his guess work. P.W. 4 is, no doubt, working as a teacher but, while so working, he was put under suspension. P.W. 7, while admitting that formerly the respondent was a non-Christian, gave hearsay evidence that people say that the respondent subsequently adopted Christianity. In the last Parliamentary election in question he was a supporter of the petitioner Kartik Oraon

and had sympathy with him and thus he is also interested in the petitioner. The evidence of P.W. 8 about the subsequent adoption of Christianity by Laloo Oraon is also hearsay. He also appears to be interested in the petitioner as he had sympathy for him in the last Parliamentary election in question and he desired his victory. The evidence of P.W. 11 on this point is also hearsay and the respondent did not adopt Christianity in his presence nor was he present at the time of his marriage with the Christian girl. This is all the evidence adduced on behalf of the petitioner on this point. As stated above, besides being interested, some of these witnesses also appear to be incompetent and, on a consideration of the evidence of these witnesses for the petitioner, it does not inspire confidence.

16. I thus find and hold that Laloo Oraon was and is a non-Christian (Soinsar) by religion and that he never adopted Christianity, as alleged by the petitioner.

17. According to the petitioner, the respondent committed corrupt practices within the meaning of this term as used in sub-section (3), (3A) and (4) of Section 123 of the Act. Sub-section (3) states, inter alia, that the appeal by a candidate to vote or refrain from voting for any person on the ground of his religion for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate would be a corrupt practice. According to sub-section (3A), the promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India on ground of religion etc. by a candidate for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate would also be a corrupt practice. Lastly, according to sub-section (4) of Section 123, the publication by a candidate etc. of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature, or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election would also be a corrupt practice.

18. What sub-section (3) of Section 123 of the Act, inter alia, bars is an appeal by a candidate to vote or refrain from voting for any person on the ground of his religion, that is to say, the religion of the candidate. The law does not place any bar on describing a party as irreligious. Sub-section (3A) of Section 123 of the Act can be said to have been contravened when there is appeal to vote for a person on the ground of religion or there is appeal not to vote for the contesting candidate on the ground of religion. To attract the provision of sub-section (4) of Section 123 of the Act there must, inter alia, be a publication by a candidate of any statement of fact which is false and which he believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

19. While the petitioner has alleged commission of corrupt practices on the part of the respondent in the last Parliamentary election within the meaning of this term as used in sub-section (3), (3A) and (4) of Section 123 of the Act, there is complete denial of the commission of any such practice whatsoever by the respondent. This leads us to the scrutiny of the evidence adduced on behalf of the parties on this point. While 19 witnesses have been examined on behalf of the petitioner, most of whom have simply come to say that Laloo Oraon delivered speech in election meetings to the effect that Kartik Oraon used to say that he did not want the votes of Christian butchers (Issai-Kasai), the respondent (R.W. 2) has denied on oath to have delivered any such speech and R.W. 2 has been corroborated on this point by the evidence of R.W. 1. The petitioner Kartik Oraon has not pledged his oath to support the commission of any such corrupt practice by the respondent nor even a single chit of paper has been exhibited at his instance to support the same.

20. The evidence adduced on behalf of the petitioner to this effect suffers from several infirmities. Section 83(b) of the Act laying down provisions for contents of election petition states, inter alia, that an election petition shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice. According to paragraph 22 of the election petition, the description of the corrupt practices under sub-sections (3) and (3A) of Section 123 of the Act

has been mentioned in Annexure 1 to the election petition. The first item of Annexure 1 gives the place Mahua Tanr as the place where the corrupt practice was committed on 7-3-1977 and names of certain persons have been mentioned therein, none of whom has been examined on behalf of the petitioner. The next place of commission of corrupt practice, as mentioned therein, is at Chainpur and the date mentioned is from 4th to 6th March, 1977. Names of two witnesses, Karu Ram and Bairagi Oraon have also been mentioned as names of the voters in whose presence this corrupt practice had been committed. None of these two witnesses have been examined on behalf of the petitioner. The third item is somewhat vague inasmuch as it merely describes the places of commission of the corrupt practices as villages of Bhandra Block and other Blocks and the dates mentioned as 'on different dates between 1st March to 14th March, 1977'. As regards the voters in whose presence the corrupt practice was committed against this item of Annexure 1, no name of any voter has been mentioned and it has simply been stated that the corrupt practice was committed before many other persons. In course of evidence the petitioner has led evidence about the meetings being held at Mander Church Compound on 14-3-1977, at village Bhandra on 10-3-1977, at village Etki on 13-3-1977, at village Bhitia Gram on 10-3-1977, at Bombay in March, 1977, at Chhatti Bazar on 10-3-1977, at village Chhatti in Falgun last, at village Masmano on 10-3-1977 and at village Bajinsmundo in Chait last. None of these places is mentioned in Annexure 1 and obviously the name of none of the 19 witnesses examined on behalf of the petitioner is mentioned therein. The second infirmity is that the speech said to have been delivered by the respondent as per most of the witnesses for the petitioner does not come within the mischief of any of the sub-sections of Section 123 of the Act. Some of the witnesses have stated about issue of pamphlet and existence of paper regarding the speech but neither the pamphlet nor the written paper has been produced. Most of these witnesses also appear to be chance witnesses in respect of the meetings said to have been attended by them and some of them also appear to be interested in the petitioner. There is also improbability in this part of the case of the petitioner. If the respondent was not a Christian, as he has been found to be, he should not have generally been expected to appeal to the voters in the name of Christian religion by telling them that Kartik Oraon did not want the votes of Christian butchers particularly when, as the evidence has been led by the petitioner, the audience consisted not only of the Christians but also of Hindus and Muslims as well.

21. I shall briefly discuss the evidence of the witnesses for the petitioner. According to P.W. 1, Laloo Oraon said in the speech that 'we all Christians should be united'. If he was not himself a Christian, one would not have expected him to make an appeal in the name of Christian. According to Mangra Oraon (P.W. 14), by Issai-Kasai is meant that Christians are like butchers. He has stated that a butcher is a man involved in a profession of killing cows and buffaloes and, further, that Christians do not kill either cows or buffaloes. In such circumstances particularly in the absence of any documentary evidence, namely, the pamphlet and the written paper, referred to in the evidence of some of the witnesses for the petitioner, it does not look probable that respondent Laloo Oraon would have made a false statement that Kartik Oraon called the Christians as butchers. P.W. 1 was not invited in this meeting and he went there only by chance out of his own accord nor did he make a note of the speech of the respondent anywhere. He did not also file any application anywhere regarding the said speech of Laloo Oraon. If the respondent is not a Christian, he was not expected to deliver speech that he was a candidate from the Christian Samaj, as stated by Ram Jatan Sah (P.W. 2). He also did not make a note of the speech and was stating about the same for the first time in this Court. He is an old Congressman and he organised meetings in the last Parliamentary election for the success of the petitioner. Akhtar Imam (P.W. 3) has simply stated that in the last election there was a feeling of Christians and non-Christians, as propagated by Laloo Oraon and that Kartik Oraon had denied that propaganda. He also did not make a note about any speech of Laloo Oraon nor did he make any complaint anywhere regarding this strained feeling between the Christians and non-Christians. Being a member of the District Ranchi Congress Committee, he used to propagate for the success of the Congress candidate, namely, the petitioner and is thus interested in him. Sonna Oraon (P.W. 4) has come to say that in his election campaign the respondent used to give out that the

petitioner asserted that he did not want the votes of Christian butchers. He did not make a note of the speech anywhere and was stating about the same for the first time in this Court. Though he claimed to be distantly related to the respondent, he was found anxious to support the case of the petitioner. He stated about the respondent adopting Christianity but, in his cross-examination, he admitted that it was merely his guess work. Sukhi Oraon (P.W. 5) simply stated about the respondent saying that the petitioner used to give out that he did not want the Christian butchers to vote for him and, further, that the respondent said that, since he was a Christian, the Christians should vote for him. As the respondent has been found to be a non-Christian, the appeal by the respondent to the Christians to vote for him on account of his being a Christian is unfit to be accepted. He also appears to be a chance witness so far as the meeting at Mander Church premises on the 14th March, 1977 is concerned. He is a Laboratory Assistant in the Ranchi College and he claimed to be on casual leave on the 14th March, 1977 but his leave application has not been produced. Before he was employed as a Laboratory Assistant, he was an employee of Adivasi Vikas Parishad of which the petitioner was the Chairman and thus he is also an interested witness. If the audience of that meeting consisted of Hindus and Muslims also besides Christians, it was not expected that the respondent would have appealed to the Christians to vote for him on the ground that he was a Christian. Mangra Oraon (P.W. 6) claimed to have attended the election meeting addressed by Laloo Oraon in village Bhandra. He did not make a note about the speech of Laloo Oraon on any paper nor did he inform any authority about the said speech. He is a member of the Congress at the Block level and was a supporter of the petitioner in the last Parliamentary election. Jhon William Minz (P.W. 7) while stating about the election meeting organised by Laloo Oraon at Etki simply stated that his speech was to the effect that Kartik Oraon was giving out at several places that he did not want the votes of Christian butchers and, therefore, the audience should not vote for Kartik Oraon. According to him, a pamphlet had been distributed about this meeting held on 13th March, 1977, but the same has not been produced. Like other witnesses for the petitioner he also did not make any note of the speech and was stating about the same for the first time in this Court. He is interested in the petitioner as he was his supporter in the last Parliamentary election. The evidence of Birsa Oraon (P.W. 8) also shares the same fate as that of P.W. 7. He is a member of the Congress since 1965 and he wanted the victory of the petitioner in the last Parliamentary election. He also did not note down anywhere about the alleged speech of Laloo Oraon nor did he inform any authority about the same. He claimed to have informed about the said speech to one Mangru Oraon but, has contended on behalf of the respondent, this Mangru Oraon has not been examined to support him. His evidence regarding the adoption of Christianity by the respondent already stands discredited.

22. Fanuel Minz (P.W. 9) came to say about the reported speech of Laloo Oraon at Bhitia Gram on 10th March, 1977. This was simply to the effect that Kartik Oraon gave out that he did not want the Christian butchers to vote for him. He had noted about this speech on a paper but the same has not been produced. No complaint was also made by him regarding this speech. On his own showing, he was supporting Devid Munjiri, an independent candidate from the Constituency in question in the last Parliamentary election and he might not have liked the election of the respondent. Bircha Oraon (P.W. 10) came to state about the alleged speech of the respondent that the Christians should not vote for Kartik Oraon but should vote for him. He did not state as to the place where this meeting was held as also the date when it was held. In such circumstances, his evidence cannot be regarded as satisfactory or reliable. Sukhlu Khalko (P.W. 11) simply stated that he organised the election meetings for Kartik Oraon for two purposes. Firstly, to secure votes for the petitioner and, secondly, to counteract the propaganda made by the respondent that Kartik Oraon did not want the votes of Christian butchers. The place or the date or the time when this alleged propaganda was made by the respondent has not been stated by him. His evidence regarding the respondent adopting Christianity already stands discredited and he appears to be interested in the petitioner. Lal Nirmani Nath Sahdeo (P.W. 12) was found changing his statement in course of his evidence. Although he stated about the respondent exhorting the audience, in his examination-in-chief, obviously in a meeting, the same as per his statement in the cross-examination turned out to be an assemblage of 10 to 12 persons where the respondent went

and talked to them. He did not remember the other speeches of Laloo Oraon. Ghakhula Bahan (P.W. 13) stated about the alleged meeting at Mander Church premises on the 14th March, 1977 and the propaganda by the respondent that Kartik Oraon did not want the votes of Christian butchers. He had attended that meeting out of his own accord, though, according to him, he did not propagate for any party in that election. Mangra Oraon (P.W. 14) did not remember the date of the meeting said to have been held at Brambay at which Laloo Oraon is said to have delivered speech that Kartik Oraon did not want the votes of Christian butchers. Brambay is two miles from his village and he attended that meeting without any invitation although, according to him, he was not working for any party in the last Parliamentary election. Clever Kujur, a Christian, according to P.W. 13, was pained to hear the allegation that Kartik Oraon gave out that he did not want the votes of Christian butchers but Clever Kujur has not been examined. The evidence of Balku Oraon (P.W. 15) is simply to the effect that the respondent delivered speech that Kartik Oraon did not want the votes of Christian butchers. The place Chatti Bazar, where this meeting was said to have been held, is 1-1/2 miles from his village. He had gone to the Bazar on the day the meeting was held and it was from there that he went to attend that meeting. The purpose for which he had gone to the Bazar has not been disclosed by him. He did not make a note of the speech of the respondent and was unable to say if anyone else besides the respondent had also addressed that meeting. Dukha Oraon (P.W. 16), who came to state about the meeting held by the respondent in village Chatti, did not state about the date of the meeting. Although none had called him to attend that meeting, he went there of his own accord by covering a distance of 2 miles. Although he attended the meeting for about an hour, he did not recollect about the other part of the speech of the respondent except that Kartik Oraon gave out that he did not want the votes of Christian butchers. Budhu Bhagat (P.W. 17) came to state about the speech of Laloo Oraon in the election meeting at Chatti Bazar on the 9th March, 1977. He went there without being invited. According to him, the speech of the respondent was to the effect that Kartik Oraon gave out that he will not be put to any loss if the Christian butchers would not vote for him. Though he heard the speech of the respondent for about 15 to 20 minutes, except the above-mentioned statement, he did not remember any other part of the speech. Though, in his examination-in-chief, he stated that the Christians did not like this reported speech of the petitioner, in his cross-examination, he disclaimed to have any knowledge about the same and simply stated that he entertained such a feeling within himself. According to Sarjoo Oraon (P.W. 18), the only objectionable speech of the respondent in the meeting held at village Masmano on the 10th of March, 1977 was that Kartik Oraon gave out that he did not want the votes of Christian butchers. The place of this meeting is four miles from his house and he claimed to have attended the same on account of his going to Bhandra, the place of his relation, Bhandra itself being three miles away from village Masmano. He did not note the speech on any paper nor did he make any complaint in connection with that speech. According to him, there was commotion among the Christians on this reported speech of the petitioner which he gathered by talking to them. No Christian has, however, come forward to support him on this point. The suggestion thrown to this witness is that he has deposed falsely. The last witness is Chenge Oraon (P.W. 19), who came to state about the speech of the respondent at a meeting held at village Bainsmundo. He did not make a note of the speech delivered by the respondent on any paper and did not even remember the date when the last Parliamentary election in the Constituency in question took place. He showed his ignorance about the exact number of candidates in the said Parliamentary election. This is all the evidence adduced on behalf of the petitioner which, in the facts and circumstances stated above, cannot be regarded as satisfactory or reliable.

23. R.W. 1, the Election Agent of the Respondent, as also the Respondent (R.W. 2) have successfully denied the allegations made by the petitioner as deposed to by his witnesses.

24. On a consideration of what has been said and discussed above, I hold and find that the petitioner has failed to establish about the commission of any corrupt practice by the respondent either under sub-section (3) or sub-section (3A) or sub-section (4) of Section 123 of the Act. On the other hand, the case of the respondent denying the commission of any corrupt practice appears to be acceptable.

25. These two issues are accordingly decided.

Issue No. (4) :

26. The petitioner has alleged that the counting and scrutiny of the polled ballot papers were not done in accordance with law and this affected materially the result of the years 1967 and 1971 by defeating the respondent in the election. The respondent has denied this assertion made in the election petition, in the written statement filed by him. There would be a presumption that the official acts in connection with the counting and scrutiny of polled ballot papers were regularly performed. The petitioner Kartik Oraon has not pledged his oath in support of this allegation. None of the 19 witnesses examined by him has also supported his case on this point. There is also absolute dearth of any documentary evidence on behalf of the petitioner in support of this allegation. As against this the evidence of the respondent (R.W. 2) denying this part of the allegation, in para 16 of his deposition, is *ex parte*. There is no reason to disbelieve his *ex parte* statement.

27. The respondent, as he (R.W. 2) has stated, won the election by defeating the petitioner by 68,000 votes. He was a candidate from the Janta Party. The petitioner might have successfully contested the Parliamentary election held in the years 1967 and 1971 by defeating the respondent in the election held in the year 1971 but this by itself cannot be a circumstance from which, in the absence of any evidence, any irregularity in the counting and scrutiny of the votes can be inferred. The wave in favour of Janta Party in the last Parliamentary election is well known and it is the admission of P.W. 3 himself that in the last Parliamentary election in Bihar no Congress candidate came out victorious anywhere.

28. In these facts and circumstances, it must be held that the petitioner has singly failed to establish that there was any irregularity in the counting and scrutiny of the polled ballot papers much less in the way alleged in the election petition. That being so, it cannot but be found that there was nothing to materially affect the result of the election in question in which the respondent came out victorious. This issue is accordingly decided.

Issue No (5) :

29. In view of the findings recorded above, there is no reason or any justification to hold the election of the respondent as void or fit to be set aside. Rather, on the evidence on record, the respondent appears to have been validly elected in the election in question in accordance with law. This issue is accordingly decided.

30. In the result, the election petition, which is absolutely without merit, fails and is dismissed with costs and a hearing fee of Rs. 200 (Rupees two hundred) only. In the facts and circumstances of this case, the amount of Rs. 64 (Rupees sixty four) awarded as adjournment cost as per order No. 13 dated 4-11-1977 shall not be added to the costs.

31. In view of the findings recorded above, no further orders beyond what has been recorded above requires to be made, as contemplated in Section 99(1)(a) of the Act.

32. Let this decision be communicated forthwith to the Election Commission of India and to the Speaker, of the House of People and let an authenticated copy of the judgment be sent to the Election Commission of India as early as possible.

CHAUDHARY SIA SARAN SINHA.
PATNA HIGH COURT,
RANCHI BENCH.
The 7th December, 1977.

[No. 82/BR/1-Ranchi/77]
R. D. SHARMA, Under Secy.

गङ्गा संवालय

(राजभाषा विभाग)

नई दिल्ली, 5 जनवरी, 1978

क्र. ० आ० 288.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4)

के अनुसरण में निम्नलिखित मंत्रालयों तथा विभागों को, जिनके कर्मचारी-बृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. निर्माण और आवास मंत्रालय
2. नागरिक पूर्ति और सहकारिता विभाग
3. न्याय विभाग
4. मंत्रिमंडल सचिवालय
5. संसदीय कार्य विभाग
6. पुनर्वास विभाग
7. कृषि अनुसंधान तथा शिक्षा विभाग
8. इस्पात विभाग

MINISTRY OF HOME AFFAIRS
(Department of Official Language)

New Delhi, the 5th January, 1978

S.O. 288.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following Ministries/Departments, the Staff whereof have acquired the working knowledge of Hindi :—

1. Ministry of Works & Housing.
2. Department of Civil Supplies & Co-operation.
3. Department of Justice.
4. Cabinet Secretariat.
5. Department of Parliamentary Affairs.
6. Department of Rehabilitation.
7. Department of Agricultural Research & Education.
8. Department of Steel.

[सं० 12022/1/78-रा० भा० ख-(2)]

[No. 12022/1/78-O.L. (B-2)]

हरिभाष कंसल, उप सचिव

H. B. KANSAL, Dy. Secy.

योजना मंत्रालय

(सांख्यिकी विभाग)

नई दिल्ली, 6 जनवरी, 1978

आदेश

का०शा० 289.—राष्ट्रपति केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण एवं अपील) नियम, 1965 जिसको नियम 34 के साथ पढ़ें, उसके उप नियम (1) तथा नियम 12 के उप-नियम (2) के खण्ड (ख), नियम 9 के उप नियम (2) के अनुसरण में भारत सरकार के मंत्रिमंडल सचिवालय की दिनांक 28 फरवरी, 1957 की अधिसूचना सं०सा०नि०आ० 633 में आगे निम्नलिखित संशोधन करते हैं, अर्थात् :—

उक्त अधिसूचना की अनुसूची में,

(1) खण्ड 2 में—सामान्य केन्द्रीय सेवाएं तृतीय श्रेणी, “राष्ट्रीय प्रतिवर्ष सर्वेक्षण संगठन” के शीर्षक के अन्तर्गत “(1) क्षेत्र संकार्य प्रभाग” शीर्षक के लिए तथा उनसे संबंधित प्रविष्टियों के लिए निम्नलिखित शीर्षक एवं प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात् :—

1	2	3	4	5
“(1) क्षेत्र संकार्य प्रभाग”				
क. मुख्यालय के पवों के संबंध में :				
(क) सहायक अधीक्षक (सामाजिक- धर्मिक) (औद्योगिक सां०), (कृ०सां०) तथा सहायक अधीक्षक, निरीक्षक एवं हिन्दी अनुवादक।	निदेशक	निदेशक मुख्य प्रशासन अधिकारी (1) से (4) तक।	सभी (1) से (4) तक	मुख्य कार्यकारी अधिकारी राष्ट्रीय प्रतिवर्ष सर्वेक्षण संगठन।
(ख) सहायक लेखाकार, आभिलषितिक ग्रेड-1 एवं ग्रेड-2	मुख्य प्रशासन अधिकारी	मुख्य प्रशासन अधिकारी	सभी	निदेशक
(ग) अन्वेषक, संगणक उच्च श्रेणी लिपिक, घघर श्रेणी लिपिक रोटा प्रिंट आपरेटर, गेष्टेटर प्रचालक, पुस्तकालय सहायक, टेलीफोन आपरेटर तथा स्कूटर चालक।	मुख्य प्रशासन अधिकारी	मुख्य प्रशासन अधिकारी लेखा एवं प्रशासन अधिकारी	सभी (1) से (4)	निदेशक मुख्य प्रशासन अधिकारी राष्ट्रीय प्रतिवर्ष सर्वेक्षण संगठन
ख. क्षेत्रीय कार्यालयों के पवों के संबंध में :				
(क) सहायक अधीक्षक (सामाजिक- धर्मिक) (औद्योगिक सां०) (कृषि सां०) सहायक अधीक्षक एवं निरीक्षक।	निदेशक	निदेशक संबंधित सहायक निदेशक	सभी (1) से (4)	मुख्य कार्यकारी रा०प्र०सं० संग- ठन निदेशक
(ख) लेखाकार	मुख्य प्रशासन अधिकारी	मुख्य प्रशासन अधिकारी संबंधित सहायक निदेशक	सभी (1) से (4) तक	मुख्य प्रशासन अधिकारी एवं प्रशासन अधिकारी

1	2	3	4	5
(ग) अन्वेषक एवं संगणक	संबंधित सहायक निदेशक	संबंधित सहायक निदेशक	सभी (1) से (4) तक	मुख्य प्रशासन अधिकारी संबंधित सहायक निदेशक
(घ) उच्च श्रेणी लिपिक, अवर श्रेणी लिपिक और आशुलिपिक ग्रेड-2।	संबंधित सहायक निदेशक	संबंधित सहायक निदेशक	सभी	मुख्य प्रशासन अधिकारी

(2) खण्ड-2 में—सामान्य केन्द्रीय सेवा श्रेणी-4 "राष्ट्रीय प्रतिदर्श सर्वेक्षण संगठन" नामक शीर्षक के अन्तर्गत "क्षेत्र संकाय प्रभाग" नामक शीर्षक के लिए तथा उनसे संबंधित प्रविष्टियों के लिए निम्नलिखित शीर्षक एवं प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात्:—

1	2	3	4	5
“(1) क्षेत्र संकाय प्रभाग”				
(क) मुख्यालय के सभी पद	प्रशासन अधिकारी	प्रशासन अधिकारी लेखा एवं प्रशासन अधिकारी	सभी (1) से (4) तक	मुख्य प्रशासन अधिकारी प्रशासन अधिकारी
(ख) मुख्यालय से बाहर के सभी पद	संबंधित सहायक निदेशक	संबंधित सहायक निदेशक अधीक्षक	सभी (1) से (4) तक	मुख्य प्रशासन अधिकारी संबंधित सहायक निदेशक

[सं० सी-11012/1/70-एन०एस० एस०-1]

आर० एन० सक्सेना, उप सचिव

MINISTRY OF PLANNING

(Department of Statistics)

New Delhi, the 6th January, 1978

ORDER

S.O. 289.—In pursuance of sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the Cabinet Secretariat No. S.R.O. 633, dated the 28th February, 1957, namely:—

In the Schedule to the said notification,—

(1) In Part II—General Central Services, Class III, under the heading “National Sample Survey Organisation”, for the heading “(1) Field Operation Division” and the entries relating thereto, the following heading and entries shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
“(1) FIELD OPERATIONS DIVISION”				
A. In respect of posts at Headquarters				
(a) Asstt. Supdt. (SE), (IS), (AS) and Asstt. Supdt., Inspector and Hindi Translator.	Director	Director Chief Admn. Officer (i) to (iv)	All (i) to (iv)	Chief Executive Officer, NSSO Director
(b) Assistant, Accountant, Stenographer Gr. I and Grade II	Chief Admn. Officer	Chief Admn. Officer	All	Director
(c) Investigator, Computer, UDC, LDC, Rota Print Operator, Gestetner Operator, Library Assistant, Telephone Operator and Scooter Driver.	Chief Administrative Officer	Chief Admn. Officer Accounts-cum-Administrative Officer	All (i) to (iv)	Director Chief Administrative Officer NSSO
B. In respect of posts in Field Offices:—				
(a) Asstt. Supdt. (SE), (IS) and (AS) Asstt. Supdt. and Inspector	Director	Director	All	Chief Executive Officer NSSO Director
		Asstt. Director Concerned	(i) to (iv)	
(b) Accountant	Chief Administrative Officer	Chief Administrative Officer	All	Director
		Asstt. Director concerned (i) to (iv)		Chief Administrative Officer and Administrative Officer

1	2	3	4	5
(c) Investigator and Computer	Asstt. Director concerned	Asstt. Director concerned Superintendent concerned	All (i) to (iv)	Chief Administrative Officer Asstt. Director concerned
(d) Upper Division Clerk, Lower Division Clerk and Stenographer Grade II	Asstt. Director concerned	Asstt. Director concerned	All	Chief Administrative Officer."

(2) In Part III—General Central Services—Class IV, under the heading "National Sample Survey Organisation", for the heading "Field Operations Division" and the entries relating thereto the following heading and entries shall be substituted, namely :—

(1)	(2)	(3)	(4)	(5)
"(1) FIELD OPERATIONS DIVISION"				
(a) All posts at Headquarters	Administrative Officer	Administrative Officer cum-Accounts-cum-Administrative Officer	All (i) to (iv)	Chief Administrative Officer Administrative Officer
(b) All posts outside Headquarters	Asstt. Director concerned	Asstt. Director concerned Superintendent	All (i) to (iv)	Chief Administrative Officer Asstt. Director concerned."

[No. C-11012/1/70-NSS-I]

R. N. SAXENA, Dy. Secy.

वित्त मंत्रालय

(राजस्व और बैंकिंग विभाग)

(राजस्व पक्ष)

नई दिल्ली, 6 जुलाई, 1977

आय-कर

का० आ० 290.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री वैकुण्ठ नाथ देव स्थान ट्रस्ट, कलकत्ता" को उक्त धारा के प्रयोजनों के लिए निर्धारण वर्ष 1975-76 के लिए तथा उस वर्ष से अधिसूचित करती है।

[सं० 1859/का० सं० 197/151/76-आ०क०(ए I)]

MINISTRY OF FINANCE

(Department of Revenue and Banking)

(Revenue Wing)

New Delhi, the 6th July, 1977

INCOME-TAX

S.O. 290.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Vaikunth Nath Devasthan Trust, Calcutta" for the purpose of the said section for and from the assessment year 1975-76.

[No. 1859/F. No. 197/151/76-IT(AI)]

नई दिल्ली, 26 अक्टूबर, 1977

आय-कर

का० आ० 291.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "राजा चैरिटी ट्रस्ट" को निर्धारण वर्ष 1974-75 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 2027/का० सं० 197/117/76-आ० क० (ए)]

205 G I/77-2

New Delhi, the 26th October, 1977

INCOME-TAX

S.O. 291.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Raja Charity Trust" for the purpose of the said section for and from the assessment year(s) 1974-75.

[No. 2027/F. No. 197/117/76-IT(AI)]

नई दिल्ली, 18 नवम्बर, 1977

आय-कर

का० आ० 292.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "भारतीय विद्याभवन" को निर्धारण वर्ष 1971-72 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 2049/का० सं० 197/128/77-आ०क० (ए I)]

New Delhi, the 18th November, 1977

INCOME-TAX

S.O. 292.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bharatiya Vidya Bhavan" for the purpose of the said section for and from the assessment year(s) 1971-72.

[No. 2049/F. No. 197/128/77-IT(AI)]

नई दिल्ली, 28 नवम्बर, 1977

आय-कर

का० आ० 293.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80-छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री बरखराजा पेरूमल मन्दिर, थिरुमेनिकोदम, नागौर डाक घर (बाया) मांगयम, सिरकाली तालुक जिला, थंजौन" को

उक्त धारा के प्रयोजनों के लिए तामिलनाडु राज्य में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2057/का० सं० 176/112/77-आई० टी० (ए० I)]

एम० शास्त्री, प्रवर सचिव

New Delhi, the 28th November, 1977

INCOME-TAX

S.O. 293.—In exercise of the powers conferred by sub-section (2)(b) of Section 80-G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Varadaraja Perumal Temple, Thirumenikoodam, Nangur Post (Via) Mangamadam, Sirkali Taluk, Tanjore District" to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No. 2057/F. No. 176/112/77-IT(AI)]

M. SHASTRI, Under Secy.

नई दिल्ली, 24 सितम्बर, 1977

प्राय-कर

का० आ० 294.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात्, सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (II) के प्रयोजनों के लिए निम्नलिखित शर्तों पर "वैज्ञानिक अनुसंधान संगठन" के रूप में अनुमोदित किया है, अर्थात् :—

- (1) यह कि उक्त संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का हिसाब पुष्क से रखेगा।
- (2) उक्त संगठन प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान सम्बन्धी क्रियाकलापों की एक वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किए जाएं।

संस्था

भास्कराचार्य प्रतिष्ठान, पुरे

यह अधिसूचना अपनी तारीख से तीन वर्ष की अवधि तक प्रभावी रहेगी।

[सं० 1997/का० सं० 203/90/77-आई० टी० (ए० II)]

जे० पी० शर्मा, उप सचिव

New Delhi, the 24th September, 1977

INCOME-TAX

S.O. 294.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, the Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, as "Scientific Research Association" subject to the following conditions :—

- (i) that the said Association will maintain a separate account of the sums received by it for scientific research;
- (ii) that the said Association will furnish the Annual Return of its Scientific Research Activities to the prescribed authority by 30th April each year for every financial year in such forms as may be laid down and intimated to them for this purpose.

INSTITUTION

BHASKARACHARYA PRATISHTHAN, PUNE

This notification is effective for a period of three years from the date of this notification.

[No. 1997/F. No. 203/90/77-IT(AII)]

J. P. SHARMA, Dy. Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 13 दिसम्बर, 1977

का० आ० 295.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषित करती है कि उपर्युक्त अधिनियम की धारा 10 की उपधारा (1) के खण्ड (ग) के उपखण्ड (1) तथा धारा 10(ख) की उपधारा (2) और (4) 6 नवम्बर, 1978 तक जम्मू एण्ड कश्मीर बैंक लि०, श्रीनगर पर उस सीमा तक लागू नहीं होंगे जहाँ तक कि उक्त उपबन्ध उसके अध्यक्ष तथा मुख्य कार्य अधिकारी का दि जम्मू एण्ड कश्मीर स्टेट इंडस्ट्रियल डेवलपमेंट कारपोरेशन लि०, श्रीनगर, जो कम्पनी अधिनियम 1956 (1956 का 17) के अन्तर्गत पंजीकृत एक कम्पनी है, निवेशक होने का प्रतिषेध करते हैं।

[सं० 15(36)-बी०ओ० III/77]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 13th December, 1977

S.O. 295.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clause (i) of clause (c) of sub-section (1) of section 10 and sub-sections (2) and (4) of Section 10B of the said Act shall not apply to the Jammu & Kashmir Bank Ltd., Srinagar, up to 6th November, 1978 in so far as the said provisions prohibit its Chairman and Chief Executive Officer from being a Director of the Board of the Jammu and Kashmir State Industrial Development Corporation Ltd., Srinagar, being a company registered under the Companies Act, 1956 (1 of 1956).

[No. 15(36)-B.O. III/77]

नई दिल्ली, 10 जनवरी, 1978

का० आ० 296.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 10 की उपधारा (1) के खण्ड (ग) के उपखण्ड (1) के उपबन्ध, इस अधिसूचना की तारीख से एक वर्ष तक की अवधि के लिए यूनियन बैंक आफ इंडिया और इंडियन बैंक पर उस सीमा तक लागू नहीं होंगे, जहाँ तक उक्त उपबन्ध उक्त बैंकों को उनके अध्यक्षों और प्रबन्ध निदेशकों द्वारा प्रबंधित किये जाने से इसलिये रोकते हैं क्योंकि वे कम्पनी अधिनियम, 1956 (1956 का 1) के अधीन पंजीकृत कम्पनी निर्यात ऋण गारंटी निगम के निदेशक हैं।

[सं० 15(39)-बी०ओ० III/77]

मे० भा० उस्तादकर, प्रवर सचिव

New Delhi, the 10th January, 1978

S.O. 296.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations

of the Reserve Bank of India, hereby declares that the provisions of Sub-clause (i) of clause (c) of sub-section (1) of Section 10 of the said Act shall not apply, for a period of one year from the date of this notification, to the Union Bank of India and Indian Bank in so far as the said provision prohibits the said banks from being managed by their Chairman and Managing Directors by reason of their being Directors of the Export Credit Guarantee Corporation, a company registered under the Companies Act, 1956 (1 of 1956).

[No. 15(39)-B.O. III/77]

M. B. USGAONKAR, Under Secy.

New Delhi, the 13th January, 1978

CORRIGENDUM

S.O. 297.—In Ministry of Finance, Department of Economic Affairs (Banking Division)'s Notification of even number, dated 31st December, 1977, the words "Notification Banks" occurring in the second line thereof may be substituted by the words "Nationalised Bank".

[No. F. 9/27/77-BO-I]

C. W. MIRCHANDANI, Under Secy.

नई दिल्ली, 17 जनवरी, 1978

का० खा० 298.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) योजना 1970 के खंड 3 के उपखंड (ब) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारतीय रिजर्व बैंक के परामर्श से वीराम बाजार कटक (उड़ीसा) के वकील श्री एम० वार्ड० ए० रहीम को जनवरी 1978 के 17वें दिन से भारम्भ होने वाली और जनवरी, 1981 के 16वें दिन समाप्त होने वाली 3 वर्ष की अवधि के लिए यूनाइटेड बैंक आफ इण्डिया का निवेशक नियुक्त करती है।

[सं० फा० 9/27/77-बी० प्रो०-I]

New Delhi, the 17th January, 1978

S.O. 298.—In pursuance of sub-clause (f) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India hereby appoints Shri M. Y. A. Rahim, Advocate, Diwan Bazar, Cuttack (Orissa) as a Director of the United Bank of India for a period of three years commencing on the 17th day of January, 1978 and ending with the 16th day of January, 1981.

[No. F. 9/27/77-BO-I]

नई दिल्ली, 18 जनवरी, 1978

का० खा० 299.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) योजना, 1970 के खण्ड 3 के उपखंड (ग) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक के परामर्श से, एतद्वारा यूनियन बैंक आफ इंडिया, बम्बई के विकास प्रबन्धक, श्री के० आर० छाबडिया को जनवरी, 1978 के 18वें दिन से भारम्भ होकर जनवरी, 1981 के 17वें दिन को समाप्त होने वाली अवधि के लिए श्री एस० बी० गोडीवालाला, जिन्हें भारत सरकार के वित्त मंत्रालय (बैंकिंग विभाग) की 7 फरवरी, 1974 की अधिसूचना संख्या एफ० 9-4/49/73-बी० प्रो० I-10 द्वारा नियुक्त किया गया था, के स्थान पर यूनियन बैंक आफ इंडिया का निवेशक नियुक्त करती है।

[सं० एफ०-9/30/77-बी० प्रो०-I]

बलदेव सिंह, संयुक्त सचिव

New Delhi, the 18th January, 1978

S.O. 299.—In pursuance of sub-clause (c) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after

consultation with the Reserve Bank of India, hereby appoints Shri K. R. Chabria, Development Manager, Union Bank of India, Bombay, as a Director of the Union Bank of India for a period commencing on the 18th day of January, 1978 and ending with the 17th day of January, 1981 in the place of Shri S. B. Godiwalla appointed under the Notification of the Government of India in the Ministry of Finance (Department of Banking) No. F. 9-4/49/73-BO-110 dated the 7th February, 1974.

[No. F. 9/30/77-BO-I]

BALDEV SINGH, Jt. Secy.

केन्द्रीय उत्पाद शुल्क और सीमा शुल्क के समाहर्ता का कार्यालय, पुणे

पुणे, 4 जनवरी, 1978

केन्द्रीय उत्पाद शुल्क

का० खा० 300.—मैं, केन्द्रीय उत्पाद शुल्क नियम 1944, के नियम 5 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, पुणे केन्द्रीय उत्पाद शुल्क और सीमा शुल्क समाहर्तालय में केन्द्रीय उत्पाद शुल्क के अधिकारियों को, जो सहायक समाहर्ता से नीचे के दर्जे के नहीं होंगे, केन्द्रीय उत्पाद शुल्क नियम 49-क के अधीन अपने-अपने संबंधित क्षेत्राधिकार में प्रयोग के लिए "समाहर्ता" की शक्तियां प्रदान करता हूँ।

[सं० 1/1978/का० सं० बी जी एन (30)-114/टीए/77]

जे० एम० वर्मा, समाहर्ता

Office of the Collector of Central Excise & Customs

Pune, the 4th January, 1978

CENTRAL EXCISES

S.O. 300.—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944, I empower the officers not below the rank of Assistant Collector of Central Excise in the Pune Central Excise & Customs Collectorate to exercise the powers of "Collector" under Rule 49-A of the Central Excise Rules, 1944, within their respective jurisdictions.

[No. 1/1978/F. No. VGN(30)-114/TA/77]

J. M. VERMA, Collector

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 20 जुलाई, 1977

दान-कर

का० खा० 301.—दान कर नियमावली, 1958 [दान-कर (द्वितीय संशोधन) नियमावली, 1976 द्वारा यथा संशोधित] के नियम 10(4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निवेश देता है कि परिसम्पत्तियों का ग्रंथ प्राप्त करने के अधिकार के बिना फर्म के लाभों के ग्रंथ पर भागीदार के अधिकार के मूल्य की गणना, इस परिवर्तन के साथ संलग्न अनुबन्ध में विनिर्दिष्ट प्रणाली से की जाएगी।

2. यह अधिसूचना 30 मई, 1977 से, जिस तारीख को परिपत्र सं० 219 (फा० सं० 333/1/76-दान-कर) जारी किया गया था, लागू होगी।

अनुबन्ध

परिसम्पत्तियों का ग्रंथ प्राप्त करने के अधिकार के बिना फर्म के लाभों के ग्रंथ पर भागीदार के अधिकार का मूल्यांकन:

पहली कार्यवाही:

(क) सर्वप्रथम दान-कर अधिकारी, फर्म द्वारा किये गये कारोबार की/अथवा मालिकाना कारोबार की जिसे भागीदारी में परिवर्तित किया गया है, औसत वार्षिक घाय की गणना करेगा। जो कारोबार यथथा

व्यवसाय पांच वर्ष या उससे अधिक समय से चलता रहा है, उसकी ऐसी औसत वार्षिक आय, जिस तारीख से मूल्यांकन संबंधित है उसके तत्काल पूर्ववर्ती पांच लेखा वर्षों की आय का औसत होगी। अन्य मामलों में औसत आय, ऐसी तारीख से तत्काल पूर्ववर्ती लेखा वर्षों की आय का औसत होगी।

(3) नीचे (ग) और (घ) में उल्लिखित समायोजनों के अधीन रहते हुए किसी लेखा वर्ष की आय, आयकर अधिनियम, 1961 के अधीन यथा निर्धारित आय होगी और मूल्यांकन की तारीख को किसी लेखा वर्ष के लिए कोई आयकर निर्धारण नहीं किया गया है तो आयकर अधिनियम, 1961 की धारा 143(1) (ख) में यथा अपेक्षित समायोजन करने के बाद फर्म/मालिकाना प्रतिष्ठान की खाता बहियों में दिखाई गई आय होगी।

(ग) भागीदारों/मालिक को भुगतान किये गये वेतनों और पूंजी पर ब्याज, प्रथमतः कारोबार की आय में वापस जोड़ दिये जायेंगे। इसके बाद ऐसी रकम की कटौती दी जायगी जो दान कर अधिकारी की राय में कार्यकारी भागीदारों/मालिक के लिए उपयुक्त पारिश्रमिक है। इसके अतिरिक्त, लेखा वर्ष के अन्तिम दिन को भागीदार/मालिक के नाम में जमा पूंजी पर 12 प्रतिशत प्रतिवर्ष की दर पर संगणित रकम की भी कटौती दी जायगी।

(घ) किसी विनिष्ट लेखा वर्ष की आय की संगणना में अनावर्ती मर्चे (नामों दिखाई गई और खाते जमा दोनों प्रकार की रकमें) और पूंजी मर्चे शामिल नहीं की जाएगी।

दूसरी कार्यवाही :

पहली कार्यवाही के अनुसार निकाली गई रकम, मुख्यतः व्यावसायिक फर्म के मामले में 2 से और किसी भी अन्य फर्म के मामले में 3 से गुणा की जाएगी।

तीसरी कार्यवाही :

किसी भागीदार के हित का मूल्य निकालने के लिए, फर्म के लाभों में उसके अंश का अनुपात, दूसरी कार्यवाही के अनुसार निकाली गई रकम पर लागू किया जाना चाहिए।

[सं० 1882/फा० सं० 333/1/76-दान-कर]
एच० एन० मण्डल, अवर सचिव

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 20th July, 1977

GIFT TAX

S.O. 301.—In exercise of the powers conferred by Rule 10(4) of the Gift-tax Rules, 1958 [as amended by the Gift-tax (Second Amendment) Rules, 1976] the Central Board of Direct Taxes hereby direct that the value of a partner's right to share the profits of the firm without the right to share the assets shall be calculated in the manner specified in the annexure to this Circular.

2. This notification shall come into force with effect from 30th May, 1977 the date on which Circular No. 219 (F. No. 333/1/76-GT) was issued.

ANNEXURE

VALUATION OF RIGHT TO SHARE THE PROFITS OF THE FIRM WITHOUT A RIGHT TO SHARE THE ASSETS

Step I:

- (a) The Gift-tax Officer shall, in the first instance, compute the average annual income of the business carried on by the firm/or the proprietary business which is converted into partnership. In the case of a business or profession which has been in existence for five years or more, such average annual income shall be the average of the income of the five accounting years immediately preceding the date to which the valuation relates.

In other cases, it shall be average of incomes of the accounting years immediately preceding such date.

- (b) Subject to the adjustments mentioned in (c) and (d) below, the income of any accounting year shall be the income as assessed under the Income-tax Act, 1961 and, if no income-tax assessment has been made as on the valuation date for any accounting year, it shall be the income as per books of accounts of the firm/proprietary concern, after making such adjustments as are contemplated in section 143(1)(b) of the Income-tax Act, 1961.
- (c) Salaries and interest on capital paid to partners/proprietor shall, in the first instance, be added back to the income of the business. A deduction shall, thereafter, be allowed for a sum which, in the opinion of the Gift Tax Officer, is reasonable remuneration for the working partners/proprietor. A further deduction for a sum calculated at 12 per cent per annum shall be allowed on the capital as standing to the credit of the partner/proprietor as on the last date of the accounting year.
- (d) Non-recurring items (both debits and credits) and capital items will be excluded from computation of the income of any particular accounting year.

Step II :

The figure arrived at in Step I shall be multiplied by 2 in the case of a mainly professional firm and by 3 in the case of any other firm.

Step III :

To arrive at the value of a partner's interest, the proportion of his share in the profits of the firm should be applied to the figure arrived at in Step II.

[No. 1882/F. No. 333/1/76-GT]

H. N. MANDAL, Under Secy.

वाणिज्य मंत्रालय

नई दिल्ली, 16 जनवरी, 1978

का०आ० 302.—चाय नियम, 1954 के नियम 4 तथा 5 के साथ पठित चाय अधिनियम, 1953 (1953 का 29) की धारा 4 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्रीमती रेनुका देवी बड़कटकी के स्थान पर श्री के० एन० दासगुप्त, जो लोक सभा के सदस्य हैं, उक्त धारा की उपधारा (1) के अन्तर्गत स्थापित चाय बोर्ड के सदस्य के रूप में 22 अगस्त, 1978 तक, जिसमें यह तारीख भी शामिल है, एवद्धारा नियुक्त करती है और भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना का०आ० सं० 444(प्र) दिनांक 23 अगस्त, 1975 में निम्नोक्त और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में पहले स्तम्भ में मध 7 के सामने प्रविष्टि के स्थान पर निम्नोक्त प्रविष्टि रखी जायेगी:—

“श्री के० एन० दासगुप्त,
307, बल्लभभाई पटेल हाउस,
मई दिल्ली-1”

[सं० ई-12012(1)/74-स्लॉट (प्र)]

श्रीमती कोमल आनन्द, उप सचिव

MINISTRY OF COMMERCE

New Delhi, the 16th January, 1978.

S.O. 302.—In exercise of the powers conferred by sub-section (3) of Section 4 of the Tea Act, 1953 (29 of 1953), read with rules 4 and 5 of the Tea Rules, 1954, the Central Government hereby appoints Shri K. N. Dasgupta, member of the House of the People (Lok Sabha), vice Shrimati

Renuka Devi Barkataki, as member of the Tea Board established under sub-section (1) of the said section upto, and inclusive of, the 22nd August, 1978, and makes the following further amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 444(E), dated the 23rd August, 1975, namely :—

In the said notification, for the entry in the first column against item 7, the following shall be substituted, namely :—

“SHRI K. N. DASGUPTA.
307, Vallabhai Patel House.
New Delhi-1.”

[No. E-12012(1)/74-Plant(A)]

MRS. KOMAL ANAND, Dy. Secy.

संयुक्त मुख्य-निर्यातक, आयात-निर्यात का कार्यालय, कलकत्ता

कलकत्ता, 17 अगस्त, 1977

आदेश

क्र०आ० 303.—सर्वश्री सुशील कुमार अग्रवाल, 113/1 बी, चितरंजन ऐक्ज्यू, कलकत्ता को अप्रैल-मार्च 78 अवधि के लिए निम्न प्रकार से लाइसेंस प्रदान किया गया था :—

लाइसेंस संख्या एवं दिनांक	माल का विवरण	मूल्य
पी/ई/2510780/सी/एक्स एक्स/63/सी/77, दिनांक 22-6-77	दाल चीनी, लॉग और जायफल/जावित्री	30,000 रु०

पार्टी ने उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए यह बताते हुए आवेदन किया है कि वह सीमा-शुल्क सवन, कलकत्ता के पास पंजीकृत कराने के पश्चात् खो गई/अस्थानस्थ हो गई है और 20,000 रुपए का उपयोग में न लाया गया शेष धन अर्थात् 10,000 रुपए की दालचीनी के लिए और 10,000 रुपए की जायफल/जावित्री को छोड़ कर लॉग के लिए 10,000 रुपए उपयोग में लाए गए हैं।

इस तर्क के समर्थन में पार्टी ने महानगर मैजिस्ट्रेट, कलकत्ता द्वारा विधिवत साक्ष्यांकित स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस संख्या पी/ई/2510780/सी/एक्स-एक्स/63/सी/77, दिनांक 22-6-77 की सीमा-शुल्क प्रति बिना रद्द किए, धरोहर रखे हस्तान्तरण किए अथवा किसी भी अन्य प्रयोजन के लिए किसी भी अन्य पार्टी को सौंपे बिना ही खो गई/अस्थानस्थ हो गई है और निवेद देता हूँ कि आवेदक को 20,000 रुपए मूल्य के लिए अर्थात् 10,000/- रुपए की दालचीनी के लिए और 10,000/- रुपए की जायफल/जावित्री के लिए उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी की जानी चाहिए।

[सं० ई०आई०/13175/3/ए-एम-78/61]

Office of the Joint Chief Controller of Imports and Exports
Calcutta

Calcutta, the 17th August, 1977

ORDER

S.O. 303.—M/s. Sushil Kumar Agaral, 113/1B, Chitaranjan Avenue, Calcutta-700073 was granted the licence for the period April-March '78 as under :—

Licence No. & date	Description of goods	Value
P/E/2510780/C/XX/63/C/77 dated 22.6.77	Cinnamon, Cloves and Nutmegs/Mace	Rs. 30,000/-

The party has applied for duplicate Customs Purposes Copy of the above licence stating that the same has been lost or misplaced after having been registered with the customs House, Calcutta and utilised for Rs. 10,000 for cloves leaving the unutilised balance of Rs. 20,000 i.e. Rs. 10,000 for cinnamon and Rs. 10,000 for Nutmegs/Mace.

In support of this contention the firm have filed on affidavit on stamp paper duly attested by the Metropolitan Magistrate Calcutta.

I am satisfied that the customs copy of Import Licence No. P/E/2510780/C/XX/63/C/77 dated 22-6-1977 has been lost/misplaced without having been cancelled, pledged, transferred or handed over to any other party for any purpose and direct to issue duplicate customs purposes copy of the aforesaid licence to the applicant for the value of Rs. 20,000 i.e. Rs. 10,000 for cinnamon and Rs. 10,000 for Nutmegs/Mace.

[No. EI/13175/3/AM'78/61]

आदेश

क्र०आ० 304.—सर्वश्री एस० के० बिसवास, पी-13, न्यू सी० आई० टी० रोड, कलकत्ता को अप्रैल-मार्च 78 अवधि के लिए निम्न प्रकार से लाइसेंस प्रदान किया गया था :

लाइसेंस संख्या एवं दिनांक	माल का विवरण	मूल्य
पी/ई/2510785/सी/एक्सएक्स/63/सी/77, दिनांक 23-6-77	दालचीनी, लॉग और जायफल/जावित्री	30,000 रुपए

पार्टी ने उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए यह बताते हुए आवेदन किया है कि वह सीमा-शुल्क सवन, कलकत्ता के पास पंजीकृत कराने के पश्चात् खो गई/अस्थानस्थ हो गई है और 20,000 रुपए का उपयोग में न लाया गया शेष धन अर्थात् 10,000 रुपए की दालचीनी के लिए और 10,000/- रुपए की जायफल/जावित्री को छोड़ कर लॉग के लिए 10,000/- रुपए उपयोग में लाए गए हैं।

इस तर्क के समर्थन में पार्टी ने महानगर मैजिस्ट्रेट, कलकत्ता द्वारा विधिवत साक्ष्यांकित स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस संख्या पी/ई/2510785/सी/एक्स-एक्स/63/सी/77, दिनांक 23-6-77 की सीमा-शुल्क प्रति बिना रद्द किए, धरोहर रखे हस्तान्तरण किए अथवा किसी भी अन्य प्रयोजन के लिए किसी भी अन्य पार्टी को सौंपे बिना ही खो गई/अस्थानस्थ हो गई है और निवेद देता हूँ कि आवेदक को 20,000 रुपए मूल्य के लिए अर्थात् 10,000 रुपए की दालचीनी के लिए और 10,000 रुपए की जायफल/जावित्री के लिए उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी की जानी चाहिए।

[सं० ई०आई०/14078/4/एम-78/157]

ORDER

S.O. 304.—M/s. S. K. Biswas, P-13 New C.I.T. Road Calcutta-73 was granted licence for the period April-March' 1978 as under :—

Licence No. & date	Description of goods	Vaule
P/E/2510785/C/XX/63/C/77 dated 23.6.77	Cinnamon Cloves and Nutmegs/Mace.	Rs.30,009/-

The party has applied for duplicate Customs Purposes Copy of the above licence stating that the same has been lost or misplaced after having been registered with the customs House, Calcutta and utilised for Rs. 10,000 for cloves leaving the unutilised balance of Rs. 20,000 i.e. Rs. 10,000 for cinnamon and Rs. 10,000 for Nutmegs/Mace.

In support of this contention the firm have filed an affidavit on stamp paper duly attested by the Metropolitan Magistrate Calcutta.

I am satisfied that the customs copy Import licence No. P/E/2510785/C/XX/63/C/77 dated 23-6-1977 has been lost/misplaced without having been cancelled, pledged, transferred or handed over to any other party for any purpose and direct to issue duplicate customs purposes copy of the aforesaid licence to the applicant for the value of Rs. 20,000 i.e. Rs. 10,000 for cinnamon and Rs. 10,000 for Nutmegs/Mace.

[No. EI/14078/4/A-M/78/157]

आदेश

कां०आ० 305.—सर्वश्री श्रीमती सन्तोष अग्रवाल, 113/1बी, चितरंजन ऐवन्स, कलकत्ता को अप्रैल-मार्च 78 अवधि के लिए निम्न प्रकार से लाइसेंस प्रदान किया गया था :—

लाइसेंस संख्या एवं दिनांक	माल का विवरण	मूल्य
पी/ई/2510786/सी/एक्स-एक्स/63/सी/77, दिनांक 23-6-77	दालचीनी, लौंग और जायफल/जावित्री	30,000/- रुपए

पार्टी ने उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए यह बताते हुए आवेदन किया है कि वह सीमा-शुल्क सदन, कलकत्ता के पास पंजीकृत करने के पश्चात् छो गई/अस्थानस्थ हो गई है और 20,000/- रुपए का उपयोग में न लाया गया शेष धन अर्थात् 10,000/- रुपए की दालचीनी के लिए और 10,000/- रुपए की जायफल/जावित्री को छोड़ कर लौंग के लिए 10,000/- रुपए उपयोग में लाए गए हैं।

इस तर्क के समर्थन में पार्टी ने महानगर मैजिस्ट्रेट, कलकत्ता द्वारा विधिवत् साक्ष्यकित स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस संख्या/पी/ई/2510786/सी/एक्स-एक्स/63/सी/77, दिनांक 23-6-1977 को सीमा-शुल्क प्रति बिना रद्द किए, धरोहर रखे हस्तान्तरण किए अथवा किसी भी अन्य प्रयोजन के लिए किसी भी अन्य पार्टी को सौंपे बिना ही छो गई/अस्थानस्थ हो गई है और निवेदन देता हूँ कि आवेदक को 20,000/- रुपए मूल्य के लिए अर्थात् 10,000/- रुपए की दालचीनी के लिए और 10,000/- रुपए की जायफल/जावित्री के लिए उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी की जा रही है।

[सं० ई०आई०/14087/4/ए एम-78/186]

भार० बारा, उप-मुख्य नियंत्रक

हुते संयुक्त मुख्य नियंत्रक

ORDER

S.O. 305.—M/s. Smt. Santosh Agarwal, 113/1B, Chitaranjan Avenue, Calcutta-700073 was granted the licence for the period April-March 1978 as under :—

Licence No. & date	Description of goods	Value
P/E/2510786/C/XX/73/C/77 dated 23.6.77	Cinnamon Cloves and Nutmegs/Mace	Rs. 30,000/-

The Party has applied for duplicate Customs Purposes copy of the above licence stating that the same has been lost or misplaced after having been registered with the customs House, Calcutta and utilised for Rs. 10,000 for cloves leaving the unutilised balance of Rs. 20,000 i.e. Rs. 10,000 for cinnamon and Rs. 10,000 for Nutmegs/Mace.

In support of this contention the firm have filed an affidavit on stamp paper duly attested by the Metropolitan Magistrate Calcutta.

I am satisfied that the customs copy of Import Licence No. P/E/2510786/C/XX/63/C/77 dated 23-6-1977 has been lost/misplaced without having been cancelled, pledged, transferred or handed over to any other party for any purpose and direct to issue duplicate customs purposes copy of the aforesaid licence to the applicant for the value of Rs. 20,000 i.e. Rs. 10,000 for cinnamon and Rs. 10,000 for Nutmegs/Mace.

[No. EI/14087/4/AM/78/166]

R. BARA, Dy. Chief Controller
for Jt. Chief Controller

मुख्य नियंत्रक आयात-निर्यात का कार्यालय, नई दिल्ली

नई दिल्ली, 17 दिसम्बर, 1977

आदेश

कां०आ० 306.—सर्वश्री दि फर्टीलाइजर एंड केमिकल्स ट्रावन्कोर लि० उद्योग मंडल को 50,00,000.00 (पचास लाख रुपए मात्र) के लिए आयात लाइसेंस संख्या आई/बी/1069672/आर/आई/एन/एच/59/43-44 दिनांक 3-7-76 प्रदान किया गया था। उन्होंने उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण प्रयोजन प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनिमय नियंत्रण प्रयोजन प्रति खो गयी / अस्थानस्थ हो गयी है। प्रागे यह यह भी बताया है कि मूल मुद्रा विनिमय नियंत्रण प्रयोजन प्रति स्टेट बैंक आफ इंडिया कोचीन के पास पंजीकृत थी और उसका आंशिक उपयोग कर लिया गया था। उसका 17,21,171.47 रुपए के लिए उपयोग कर लिया गया था और उसमें 7-11-77 को बकाया 32,78,828.53 रुपए उपलब्ध हैं।

2. इस तर्क के समर्थन में आवेदक ने नोटरी पब्लिक के प्रमाण पत्र सहित एक शपथ पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि उपर्युक्त लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रयोजन प्रति खो गयी है। इसलिए यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-धारा 9 (सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री दि फर्टीलाइजर एंड केमिकल्स ट्रावन्कोर लि० उद्योग मंडल को जारी किए गए लाइसेंस संख्या आई/बी/1069672 दिनांक 3-7-76 को उपर्युक्त मूल मुद्रा विनिमय नियंत्रण प्रयोजन प्रति एतद् द्वारा रद्द की जाती है।

3. उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण प्रयोजन प्रति लाइसेंसधारी को भ्रम से जारी की जा रही है।

[संख्या फर्टे०/35/75-76/पी एल एस ए]

Office of the Joint Chief Controller of Imports and Exports,
New Delhi

New Delhi, the 17th December, 1977

ORDER

S.O. 306.—M/s. The Fertilizers & Chemicals Travancore I/D/1069672/R/IN/H/59/43-44 dated 3-7-1976 for I/D/1069672/R/IN/H/59/43-44 dated 3-7-1976 for Rs. 50,0000 (Rupees Fifty Lakhs only). They have applied for the issue of duplicate/Exchange Control Purposes copy of the said licence on the ground that the original/Exchange Control purposes copy has been lost/misplaced. It is further stated that the original Customs Purposes/Exchange Control Purposes copy was registered with the State Bank of India, Cochin and utilised partly. It was utilised for Rs. 17,21,171.44 and the balance available on it was Rs. 32,78,828.53 as on 7-11-1977.

2. In support of this contention the applicant has filed an affidavit along with a certificate from Notary Public I am accordingly satisfied that the original Exchange Control Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order, 1955 dated 7-12-1955 as amended the said original Exchange Control purposes copy of licence No. I/D/1069672 dated 3-7-1976 issued to M/s. The Fertilizers & Chemicals Travancore Ltd. Udyogmandal is hereby cancelled.

3. A duplicate Exchange Control Purposes copy of the said licence is being issued separately to the Licencee.

[No. Ferto/35/75-76/PLSA]

नई दिल्ली, 18 जनवरी, 1978

आदेश

का०आ० 307.—सर्वश्री दि फर्टीलाइजर एण्ड कैमिकल्स ट्रावनकोर लि० उद्योग मण्डल हाकखाना, केरल राज्य, को 3,59,000.00 (तीन लाख उनसठ हजार रुपये मात्र) के लिए एक आयात ला० सं० आई/डी/सी/1405985/सी/एक्स एक्स/55/एच/39-40 दिनांक 28-12-74 प्रदान किया गया था। उन्होंने उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति खो गई है। आगे यह भी बताया गया है कि मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति स्टेट बैंक आफ इंडिया, कोचीन के पास पंजीकृत थी और उसका आंशिक उपयोग कर लिया गया था और उसका 1,62,676.00 रुपये के लिए उपयोग कर लिया गया था और उस में लाइसेंस खोने की तिथि को 1,96,324.00 रुपये शेष उपलब्ध था।

2. इस तर्क के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है।

3. तबनुसार, मैं संतुष्ट हूँ कि उपर्युक्त ला० की मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति खो गई है। इसलिए, यथा संशोधित आयात (नियंत्रण) आदेश, 1955 की उप धारा 9 (सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर सर्वश्री दि फर्टीलाइजर एण्ड कैमिकल्स ट्रावनकोर लि०, उद्योग मण्डल को जारी किए गए ला० सं० आई/डी/1405985 दिनांक 28-12-74 की उपर्युक्त मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति एतद् द्वारा रद्द की जाती है।

4. उपर्युक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रयोजन प्रति की एक अनुलिपि लाइसेंसधारी को प्रलग से जारी की जा रही है।

[सं० पी टी/फर्टे/23/73-74/पी एल एस ए]

New Delhi, the 18th January, 1978

ORDER

S.O. 307.—M/s The Fertilizer & Chemical Travancore Ltd. Udyogmandal P. O. Kerala State were granted an import licence No. 1/D/1405985/C/XX/55/H/30-40 dated 28-12-1974 for Rs. 3,59,000 (Rupees Three Lakhs & Fifty Nine Thousand only). They have applied for the issue of a duplicate Exchange Control Purposes copy of the said licence on the ground that the original Exchange Control Purposes copy has been lost. It is further stated that the original Exchange Purposes copy was registered with the State Bank of India, Cochin and utilised partly. It was utilised for Rs. 1,62,676 and the balance available on it was Rs. 1,96,324 as on the date of loss of the Licence.

2. In support of this contention the applicant has filed an affidavit.

I am accordingly satisfied that the original Exchange Control Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order, 1955 dated 7-12-1955 as amended the said original Exchange Control purposes copy of licence No. 1/D/1405985 dated 28-12-1974 issued to M/s. The Fertilizer & Chemicals Travancore Ltd., Udyogmandal is hereby cancelled.

3. A duplicate Exchange Control purposes copy of the said licence is being issued separately to the Licencee.

[No. PT/FERT/23/73-74/PLSA]

नई दिल्ली, 20 जनवरी, 1978

आदेश

का०आ० 308.—गुजरात कैंसर सोसाइटी, न्यू सिविल हास्पिटल एनेक्सी, असारवा, अहमदाबाद-16 को 780 थियरेट्रॉन यूनिट के लिए 50 साइकिलों वाला एक कंप्रेसर और बेल एवं गोसेट भी 50-60 साइकिलों वाला एक कंप्रेसर आयात करने के लिए 4300/- रुपये के लिए आयात लाइसेंस सं० पी/ए/1414620/सी/एक्स एक्स/56/एच/39-40/आई एल एस, दिनांक 29-8-75 प्रदान किया गया था। उन्होंने आयात लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि आयात लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है। आगे यह भी बताया गया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क सदन में पंजीकृत नहीं कराई गई है और न ही उपयोग में लाई गई है। इस तर्क के समर्थन में उन्होंने एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि आयात लाइसेंस सं० पी/ए/1414620, दिनांक 29-8-75 की मूल सीमा शुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है और निवेश बता है कि सीमा शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी की जानी चाहिए। आयात लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति रद्द की जाती है।

[सं० जी० 12/मेड/74-75/आई एल एस/799]

यू० एस० रावत, उप मुख्य नियंत्रक

New Delhi, the 20th January, 1978

ORDER

S.O. 308.—Gujarat Cancer Society, New Civil Hospital Annexe, Asarwa, Ahmedabad, 16 was granted import licence No. P/A/1414620/C/xx/56/H/39-40/ILS dated 29-8-75 for Rs. 4,300 only for the import of one compressor 50 cycles for Theratron 780 Unit and one compressor Bell & Gossett OV 50—60 cycles. They have applied for a duplicate copy for Customs purposes of the import licence on the ground that the original Customs purposes copy of the import licence has been lost/misplaced. It is further stated that the original Customs purposes copy of the licence was not registered with any Customs House and not utilised. In support of this contention, they have filed an affidavit. I am satisfied that the original Customs purposes copy of import licence No. P/A/1414620 dated 29-8-75 has been lost/misplaced and direct that a duplicate Customs purposes copy should be issued. The original Customs purposes copy of the import licence is cancelled.

[No. G-12/Med/74-75/ILS./799]

U. S. RAWAT, Dy. Chief Controller

नई दिल्ली, 13 जनवरी, 1978

आदेश

का०आ० 309.—सर्वश्री बेलपहाड़ रिफैक्ट्रीज लि०, हाकखाना बेलपहाड़ जिला सम्बलपुर को 14,700.00 रुपये मूल्य के अनुमेय फालतू पुजों का आयात करने के लिए आयात ला० सं० पी/डी/2197993/आर/एम एल/51/एच/37-38/एम एल-1/पोटरी दिनांक 2-5-74 प्रदान किया गया था।

2. उन्होंने उपर्युक्त लाइसेंस की अनुलिपि मुद्राविनियम नियंत्रण प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति उन से खो गई/अस्थानस्थ हो गई है। लाइसेंसधारी द्वारा आगे यह भी सूचित किया गया है कि लाइसेंस में 4,555.00 रुपये अग्रयुक्त शेष थे। लाइसेंस सीमा शुल्क कार्यालय, कलकत्ता में पंजीकृत था।

3. अपने तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि आयात ला० सं० पी/डी/2197993 दिनांक 2-5-74 की मूल मुद्रा विनियम नियंत्रण प्रति खो गई या अस्थानस्थ हो गई है और निवेश बता है कि उपर्युक्त लाइसेंस

की अनुलिपि मुद्रा विनियम नियंत्रण प्रति आवेदक को जारी की जाती चाहिए।

4. लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रति प्रलग से जारी की जा रही है।

[सं. पोटर्री/26/(i) 73-74/प्रार एम-II/1561]

प्रार. पी. बसु, उप-मुख्य नियंत्रक
कृते-मुख्य नियंत्रक

New Delhi, the 13th January, 1978

ORDER

S.O. 309.—M/s. Belpahar Refractories Ltd., PO. Belpahar District Sambalpur, were granted Import Licence No. P/D/2197993/R/ML/51/H/37-38/MLI/Pottery for import of Permissible Spares valued at Rs. 14,700.

2. They have requested for the issue of duplicate Exchange Control Copy of the above said licence on the ground that the original Exchange Control Copy has been lost or misplaced by them. It has been further reported by the licensee that the licence had an unutilized balance of Rs. 4,555. The licence was registered with Calcutta Customs House.

3. In support of their contention, the applicants have filed an affidavit. The undersigned is satisfied that the original Exchange Control Copy of Import Licence No. P/D/2197993 dated 2-5-74 has been lost or misplaced and directs that a Duplicate Exchange Control Copy of the said licence should be issued to the applicant. The original Exchange Control Copy is hereby cancelled.

4. The Duplicate Exchange Control Copy of the licence is being issued separately.

[No. Pottery/26(1)/73-74/RM-II/1561]

R. P. BASU, Dy. Chief Controller
for Chief Controller

उद्योग संवालय

(औद्योगिक विकास विभाग)

नई दिल्ली, 17 जनवरी, 1978

कां.आं. 310.—केन्द्र सरकार एतद्वारा अधिसूचित करती है कि केन्द्रीय सिल्क बोर्ड अधिनियम 1948 (1948 का 61) की धारा 4 के खंड (3) के अनुसरण में राज्य सभा श्री तोदक बसर, सदस्य (राज्य सभा) को 16 दिसम्बर, 1977 से केन्द्रीय रेशम बोर्ड के सदस्य के रूप में कार्य करने हेतु निर्वाचित करती है।

[फा. सं. 25012(24)/76-सिल्क]

MINISTRY OF INDUSTRY

(Department of Industrial Development)

New Delhi, the 17th January, 1978

S.O. 310.—The Central Government hereby notify that the Rajya Sabha has, in pursuance of clause (3) of Section 4 of the Central Silk Board Act 1948 (61 of 1948) elected Shri Todak Basar, Member, Rajya Sabha with effect from 16th December, 1977 to serve as a member of the Central Silk Board.

[P. No. 25012/24/76-SILK]

कां.आं. 310.—केन्द्र सरकार एतद्वारा अधिसूचित करती है कि केन्द्रीय सिल्क बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4 उपधारा (3) खंड (ग) के अनुसरण में लोक सभा, कुमारी प्रभा मैती के त्यागपत्र के फलस्वरूप उनके स्थान पर श्री एम. ए. हन्नन अल्हज, सदस्य (लोक सभा) को 16 दिसम्बर, 1977 से केन्द्रीय रेशम बोर्ड के सदस्य के रूप में कार्य करने हेतु निर्वाचित करती है और भारत सरकार, बाणिज्य, नागरिक पूति तथा सहकारिता मंत्रालय की 6 अगस्त, 1977 की अधिसूचना में निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में क्रमांक 4 पर दी गई प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जायेगी, अर्थात् "4 श्री एम. ए. हन्नन अल्हज"।

[सं. फा. 25012(24)/76-सिल्क]

एस. वेणुगोपालन, निदेशक

S.O. 311.—The Central Government hereby notify that the Lok Sabha has, in pursuance of clause (c) of sub-section (3) of Section 4 of the Central Silk Board Act, 1948 (61 of 1948), elected Shri M. A. Hannan Alhaj, Member, Lok Sabha on 16th December, 1977 to serve as a member of the Central Silk Board vice Kumari Abha Maiti resigned and make the following amendment in the Notification of the Government of India in the Ministry of Commerce Civil Supplies and Co-operation dated 6th August, 1977 :—

In the said notification, for the entry against serial number 4, the following entry shall be substituted, namely :—
"4. Shri M. A. Hannan Alhaj."

[F. No. 25012/24/76-SILK]

S. VENUGOPALAN, Director

नागरिक पूति तथा सहकारिता मंत्रालय

(भारतीय मानक संस्था)

नई दिल्ली, 1978-01-13

कां.आं. 312.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिन्हु) नियम 1955 के नियम 4 के उपविनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि संस्था ने कुछ मानक बिन्हु निर्धारित किए हैं जिनको डिजाइन, शाब्दिक विवरण तथा भारतीय मानक के शीर्षक सहित अनुसूची में दे दी गई है।

भारतीय मानक संस्था (प्रमाणन बिन्हु) अधिनियम 1952 और उसके अधीन ने नियमों के निमित्त ये मानक बिन्हु उनके धारों दी गई तिथियों लागू होंगे।

अनुसूची

क्रम सं.	मानक बिन्हु की डिजाइन	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी भारतीय मानक की संख्या और शीर्षक	मानक की डिजाइन का शाब्दिक विवरण	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1. IS : 3065		कटाई तेल, शुद्ध	IS : 3065-1970 शुद्ध कटाई तेल की विशिष्टि (पहला पुनरीक्षण)	भारतीय मानक संस्था का मोनोग्राम जिसमें 'ISI', शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तयार किया गया है और जसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की प्रसंख्या दी गई है।	1977-11-01



1	2	3	4	5	6
2. IS : 5456	घनात्मक बिस्थापन वाले वायु कम्प्रेसर	IS : 5456—1969 घनात्मक बिस्थापन वाले वायु कम्प्रेसरों और विकास पंखों के परीक्षण की रीति संहिता	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI, शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी गई है।	1977-10-16	
3. IS : 7285	स्थायी और उच्च दाब द्रव-णीय गैसों के लिए जोड़ रहित मैंगनीज इस्पात के सिलेंडर।	IS : 7285—1974 स्थायी और उच्च दाब द्रवणीय गैसों के जोड़ रहित मैंगनीज इस्पात सिलेंडरों की विशिष्टि	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI, शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी गई है।	1977-09-16	
4. IS : 8291	फैंथोएट पायसनीय तेज द्रव	IS : 8291—1976 फैंथोएट पायसनीय तेज द्रव की विशिष्टि	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI, शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी गई है।	1977-11-01	

[सं० सी० एम० डी० 13 : 9]

MINISTRY OF CIVIL SUPPLIES AND CO-OPERATION



(Indian Standards Institution)



New Delhi, the 1978-01-13

S.O. 312.— In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution, hereby notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Marks(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each :

SCHEDULE

Sl No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark	Date of effect
(1)	(2)	(3)	(4)	(5)	(6)
1. IS : 3065		Cutting oil, neat	IS : 3065—1970 Specification for cutting oil, neat (first revision).	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1977-11-01
2. IS : 5456		Positive displacement type air compressors	IS : 5456—1969 Code of practice for testing of positive displacement type air compressors and exhausters.	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1977-10-16

(1)	(2)	(3)	(4)	(5)	(6)
3. IS : 7285	Seamless manganese steel cylinders for permanent and high pressure liquefiable gases.	IS : 7285—1974 Specification for seamless manganese steel cylinders for permanent and high pressure liquefiable gases.	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1977-09-16	
					
4. IS : 8291	Phenthoate emulsifiable concentrates.	IS : 8291—1976 Specification for phenthoate emulsifiable concentrates.	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1977-11-01	
					

[No. CMD/13 : 9]

क०आ०313.—भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम, 1955 के विनियम 7 के उपविनियम (2) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि विभिन्न वस्तुओं की प्रति इकाई मुहर लगाने की फीम अनुसूची में दिए गए व्योरे के अनुसार निर्धारित की गई है और ये फीम प्रत्येक वस्तु के आगे दी गई तिथि (यों) से लागू होंगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीम	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.	कटाई तेल, शुद्ध	IS : 3065—1970 शुद्ध कटाई तेल की विशिष्टि (पहला पुनरीक्षण)	एक लिटर	(1) पहली 200000 इकाइयों तक 2 पैसे प्रति इकाई (2) 200001वीं और अगली इकाइयों के लिए 1 पैसा प्रति इकाई	1977-11-01
2.	घनात्मक विस्थापन वाले वायु कम्प्रेसर	IS : 5456—1969 घनात्मक विस्थापन वाले वायु कम्प्रेसरों और विकास पंखों के परीक्षण की रीति संहिता	एक नग	रु० 10.00	1977-10-16
3.	स्थायी और उच्च दाब द्रवणीय गैसों के लिए जोड़ रहित मैगनीज इस्पात के सिलेंडर	IS : 7285—1974 स्थायी और उच्च दाब द्रवणीय गैसों के जोड़ रहित मैगनीज इस्पात सिलेंडरों की विशिष्टि	एक सिलेंडर	(1) पहली 10000 इकाइयों के लिए रु० 3.00 प्रति इकाई (2) 10001वीं और अगली इकाइयों के लिए रु० 2.00 प्रति इकाई	1977-09-16
4.	कैंथोएट पायसनीय तेज द्रव	IS : 8291—1976 कैंथोएट पायसनीय तेज द्रव की विशिष्टि	100 लिटर	(1) पहली 300 इकाइयों के लिए रु० 10.00 प्रति इकाई (2) 301वीं और अगली इकाइयों के लिए रु० 5.00 प्रति इकाई	1977-11-01

[सं० सी एम डी/13 : 10]

वाई० एस० वेकटेश्वरन, अपर महानिदेशक

S.O. 313.— In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee(s) per unit for various products details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each.

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of Effect
(1)	(2)	(3)	(4)	(5)	(6)
1.	Cutting oil, neat	IS : 3065—1970 Specification for cutting oil, neat (first revision).	One litre	(i) 2 paise per unit for the first 2,00,000 units and (ii) 1 paise per unit for the 20,0001st unit and above	1977-11-01

1	2	3	4	5	6
2.	Positive displacement type air compressors.	IS : 4556—1969 Code of practice for testing of positive displacement type air compressors and exhausters.	One piece	Rs. 10.00	1977-10-16
3.	Seamless manganese steel cylinders for permanent and high pressure liquefiable gases.	IS : 7285—1974 Specification for seamless manganese steel cylinders for permanent and high pressure liquefiable gases.	One cylinder	(i) Rs. 3.00 per unit for the first 10,000 units and (ii) Rs. 2.00 per unit for the 1,0001st unit and above.	1977-09-16
4.	Phenthoate emulsifiable concentrates.	IS : 8291—1976 Specification for phenthoate emulsifiable concentrates.	100 litres	(i) Rs. 10.00 per unit for the first 300 units and (ii) Rs. 5.00 per unit for the 301st unit and above	1977-11-01

[No. CMD/13 : 10]

Y. S. VENKATESWARAN, Additional Director
General

इस्पात और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 13 जनवरी, 1978

कां०आ० 314.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधि-भोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के इस्पात और खान मंत्रालय की अधिसूचना सं० 49013/10/73 में III कां० आ० सं० 2475, तारीख 2-8-1975 को अधिवास्त करने हुए, निम्नलिखित सारणी के स्तम्भ (1) में वर्णित अधिकारी को, जो भारत सरकार के राजपत्रित अधिकारी की रैंक का समतुल्य अधिकारी है उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी के रूप में नियुक्त करती है और यह निदेश देती है कि उक्त अधिकारी उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों और अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

अधिकारी का नाम और पदविधान	सरकारी स्थानों के प्रयोग
(1)	(2)
श्री पी० हेमचन्द्रन, प्रशासन अधिकारी (यहां उपावन्ध में दिया हुआ, लिखें)	
हिन्दुस्तान कापर लिमिटेड, माऊभंदर	
सिधभूम (बिहार)	

उपावन्ध

- (1) मौजा सोमनंदर में अजित भूमि, थाना सं० 86 प्लॉट सं० 308 और 698 क्षेत्रफल 453.59 एकड़ उत्तर में रेल भूमि द्वारा दक्षिण में मुबर्ण रेखा नदी द्वारा पूर्व में हल्दी गोबरा नाला द्वारा और पश्चिम में तोला तुमगडुग्री द्वारा घिरी हुई है
- (2) सोमनंदर में खरीदी भूमि थाना सं० 86, क्षेत्रफल 3.05 एकड़

प्लॉट सं०	क्षेत्र
54—बिरुधिहू तालावर,	क्षेत्र 0.40"
55—यथोक्त—तालाब	क्षेत्र 0.43"
56—यथोक्त—तालाब	क्षेत्र 0.26"
57—यथोक्त—भनाली	क्षेत्र 0.07
58—गोराबाद—गोरा 1	क्षेत्र 1.03
59—मकान 4	क्षेत्र 0.11
60—फोर्टयार्ड	क्षेत्र 0.30
61—गोराबारी गोरा-2	क्षेत्र 0.37
62—नाली	क्षेत्र 0.08
9 प्लॉट	क्षेत्र 3.05

- (3) मोटर गैरेंज के लिए, ग्राम तरंगा, रिवर साइड में अजित भूमि, थाना सं० 99, प्लॉट सं० 793, क्षेत्रफल 1.00 एकड़
- (4) मौजा गोपालपुर में खरीदी भूमि, थाना सं० 113, क्षेत्रफल 16.89 एकड़

प्लॉट सं०	क्षेत्र
618 (प्रभाग)	0.24 एकड़
618 "	0.08 "
618 "	0.08 "
618 "	0.16 "
618 "	0.24 "
618 "	0.16 "
618 "	0.08 "
618 "	0.08 "
618 "	0.16 "
618 "	0.24 "
618 "	0.16 "
618 "	0.33 "
618 "	0.16 "
618/806	0.40 "
618 "	0.08 "
618 "	0.08 "

प्लॉट सं०	क्षेत्र	एकड़
618 "	0.08	एकड़
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
618 "	0.08	"
639/1257	0.44	"
809 (807/809)	0.07	"
638/1232	0.68	"
639/1263	0.65	"
639/1173	0.16	"
639/1174	0.14	"
639/1212	0.33	"
639/1254	0.14	"
639/1217	0.99	"
638	0.63	"
617	0.17	"
625/1267	0.30	"
639/1176	0.08	"
805	0.97	"
639/1255	0.70	"
620 "	0.13	"
804 "	0.78	"
804/1206	0.78	"
	12.83	
(4) प्लॉट संख्या	क्षेत्रफल	
लाया गया	12.83 एकड़	
797	0.54	
798	0.26	
799	0.30	
800	1.79	
619	1.00	
621	0.17	16.89
(5) मौजा मोहनंदर के भीतर सोला कुटलूडिह में राष्ट्रीय राजमार्ग तक		
नई सड़क—क्षेत्रफल	1.35 एकड़	
मौजा मोहनंदर		
धाना सं० 86		
प्लॉट सं०	क्षेत्रफल	
446	एकड़	
445	0.09 "	
प्लॉट सं०	क्षेत्र	एकड़
444	0.15	"
443	0.12	"
441	0.09	"
440	0.10	"

प्लॉट सं०	क्षेत्र	एकड़
430	0.08	एकड़
428	0.07	"
427	0.05	"
422	0.03	"
423	0.06	"
424	0.02	"
417	0.12	1.09*
मौजा कीटाडिह,		
धाना सं० 85		
1270	0.09 एकड़	
1271	0.09 "	
1272	0.08 "	0.26
कुल		1.35

*वर्तमान नई सड़क 30 फुट के आधार पर निर्मित की गई थी जिसमें दोनों ओर की नालिया भी हैं

(6) ग्राम-बेनासोल (एस०बी०टी० प्लॉट के लिए)

धाना—सं० 100, क्षेत्रफल 0.9968 एकड़

प्लॉट सं०	क्षेत्र	एकड़
818	} एकड़	0.1207
924		
812	} क्षेत्र	0.503
819		
817		
962	}	0.1105
963		
965	}	0.804
967		
805	}	0.407
962		
प्लॉट सं०	क्षेत्र	
1008 क्षेत्र	0.604	
807	0.509	
811		
809 क्षेत्र	0.808	
807	0.8108	
827		
828	0.407	
822	}	0.2404
824		
825		
920		
921		
922	}	0.801
923		
925		
कुल		0.9968 एकड़

प्लॉट सं०-802 क्षेत्रफल 10 फीट × 10 फीट

918 क्षेत्रफल 0.30 बीघा

(7) सैन्ड माइनिंग लीज, क्षेत्रफल मोहनंदर के किनारे के नदी तल का 113.50 एकड़

(क) मौजा मोहनंदर

धाना सं० 86

प्लॉट सं० 396 प्रभाग

307

699 प्रभाग

(ख) मौज्जा तेरेंगा

थाना सं० ११

प्लाट सं० ७९५

(ग) मीजा मेंगासोल

थाना सं० 100

प्लेट सं० 1010

(8) दक्षिण बैंक ट्रीटमेंट प्लांट

मौजा बोनासोल

थाना सं० 100

प्लेट सं० ४३२

ક્ષેત્રફલ 8 . 10 એકડા જો

उत्तर में प्लॉट सं. 833

821

8 18

दक्षिण में प्लॉट सं० 8 18

8 1 5

पृष्ठं में प्लेट सं० 8 18

पश्चिम में सड़क द्वारा घिरा हुआ है

(9) एरियल रोप वे ऐंगिल स्टेशन

मौजा बेतासोख

पाना सं० 100

प्लेट सं० ४१३

क्षेत्रफल 0.56 एकड़

[फा० सं० 22/35/77 में III]

सी० पी० एस० नायर, उप सचिव

MINISTRY OF STEEL & MINES

(Department of Mines)

New Delhi, the 13th January, 1978

S.O.314.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in supersession of the notification of the Government of India in the Ministry of Steel & Mines No. 48013/10/73-Met. III S.O. No. 2475 dated 2-8-1975, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of a Gazetted Officer of Government, to be estate officer for the purposes of the said Act, and further directs that the said officer shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act in respect of the public premises specified in column (2) of the said Table.

TABLE

Name and designation of the Officer	Categories of public premises
(1)	(2)
Shri P. Hemachandran, Administrative Officer, Hindustan Copper Limited, Moubhandar, Singhbhum (Bihar).	(Here incorporate what is contained in the annexure).

ANNEXURE

(1) Acquired land in Mouza—Moubhandar, Thana No. 86, Plots Nos. 308 and 698 area 453.59 acres.

Bounded on the North by Railway land, South by the River Subernarekha, East by Halti Jobra Nulla and West by Tola Tumangdungri.

(2) Purchased land at Moubhandar, Thana No. 86, area 3.05 acres.

Plots Nos.	Area	
54. Chirudih Talabar,	0.40	Acres
55. Chirudih Talab,	0.43	„
56. Chirudih Talab	0.26	„
57. Chirudin Nali	0.07	„
58. Gorabad—Gora I	1.03	„
59. Makan 4	0.11	„
60. Courtyard	0.30	„
61. Gorabari Gora II	0.37	„
62. Nali	0.08	„
9 Plots	3.05	„

(3) Acquired land in Village Tarenga, Riverside—for Motor Garage Thana No. 99, Plot No. 793 area—1.00 acre.

(4) Purchased land at Mouza—Gopalpur, Thana No. 113, area 16.89 acres.

[illegible]

Plots Nos.	Area
804	0.78 Acres
804/1205	0.78 "
	12.83 "
(4) Plots Nos.	Area
	B.F. 12.83 Acres
797	0.54 "
798	0.26 "
799	0.30 "
800	1.79 "
619	1.00 "
621	0.17 "
	16.89 Acres

(5) New Road to National Highway in Tola Kutludih with-
in Mouza Moubhandar—area—1.35 acres. Mouza—
Moubhandar Thana No. 86.

Plots Nos.	Area
446	0.11 Acres
445	0.09 "
444	0.15 "
443	0.12 "
441	0.09 "
440	0.10 "
430	0.08 "
428	0.07 "
427	0.05 "
422	0.03 "
423	0.06 "
424	0.02 "
417	0.12 "
	1.09*acres

Mouza Kitadih, Thana No. 85.

1270	0.09 "
1271	0.09 "
1272	0.08 "
	0.26 acres
Total	1.35 acres

*This existing new Road was constructed on the basis of
30 ft. wide inclusive of drains on both sides.

(6) Village—Benssol (for S.B.T. Plant) Thana—No. 100,
Area 0.9968 acres.)

Plots Nos.	Area
818 } 924 } 925 }	0.1207 Acres
812 } 819 } 817 }	0.503 "
962 } 963 } 965 }	0.1105 Acres
767 } 805 }	0.804 "
962	0.407 "
1008	0.301 "
1008	0.604

Plots Nos.	Area
807 } 811 } 809 }	0.509
807 } 27 }	0.808
828	0.108
822 } 824 } 825 }	0.407
920 } 921 }	0.404
922 } 923 }	0.801
924 }	
Total :	0.9968 acres

Plots Nos. 802—area 10ft x 10 ft.

918 „—0.30 Bigha.

(7) Sand Mining Lease, area 113.50 acres of riverbed
alongside Moubhandar.

(a) Mouza Moubhandar
Thana No. 86 306 portion
Plots No. 307
699 portion

(b) Mouza Terenga
Thana No. 99
Plot No. 795

(c) Mouza Bengasol
Thana No. 100
Plot No. 1010

(8) South Bank Treatment Plant
Mouza—Benasol
Thana No. 100
Plot No. 832
Area—measuring 8.10 acres.
Bounded on the North by Plots No. 833
821
818
Bounded on the South by Plots Nos. 818
815
Bounded on the East by Plots Nos. 818
Bounded on the West by Road.

(9) Aerial Rope Way angle—station
Mouza—Benasol
Thana No. 100
Plot No. 813
Area 0.56 acres.

[F. No. 22/35/77-Met. III]

C. P. S. NAIR, Dy. Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 17 जनवरी, 1978

क्र० आ० 315:—यस: भारतीय उपचर्या परिषद् अधिनियम 1947
(1947 का 48) की धारा 10 की उप-धारा 2 के अनुसरण में भारतीय
उपचर्या परिषद् ने 2 सितम्बर, 1977 को हुई बैठक में एक संकल्प
पारित कर यह घोषणा की है कि 24 अक्टूबर, 1971 से केरल नर्स
एवं धात्री परिषद्, त्रिवेन्द्रम द्वारा दिया गया जन स्वास्थ्य उपचर्या
प्रमाणपत्र उक्त अधिनियम के प्रयोजन के लिए मान्यताप्राप्त उच्च अर्हता
होगी;

और यतः उक्त अधिनियम की धारा 15 की उप-धारा (1) द्वारा यथा अपेक्षित उपर्युक्त संकल्प को भारतीय उपचर्या परिषद् की 12 दिसम्बर, 1977 की अधिसूचना संख्या 11-1/76 आई० एन० सी० के अन्तर्गत सरकारी राजपत्र में प्रकाशित कर दिया गया है;

अतः अब उक्त अधिनियम की धारा 15 की उप-धारा (2) के अनुसरण में केन्द्रीय सरकार एतद्वारा उक्त अधिनियम की अनुसूची में निम्नलिखित और संशोधित करती है ताकि इसे उक्त घोषणा के अनुरूप बनाया जा सके; अर्थात्:—

उक्त अधिनियम की अनुसूची के भाग 2 में शीर्ष “मान्यताप्राप्त उच्च अर्हताएं” के अन्तर्गत प्रविष्टि 29 के बाद—निम्नलिखित प्रविष्टि प्रतिस्थापित की जाए, अर्थात्:—

“30. केरल नर्स एवं धात्री जन स्वास्थ्य उपचर्या का प्रमाणपत्र परिषद्, त्रिवेन्द्रम (जब इसे 1 अगस्त, 1961 और 23 अक्टूबर, 1971 के दौरान दिया गया हो दोनों तारीख सम्मिलित हैं)।”
[सं० बी० 14015/5/77-पी०एम०एस०]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 17th January, 1978

S.O. 315.—Whereas the Indian Nursing Council has, by a resolution passed at a meeting held on the 2nd September, 1977 in pursuance of sub-section (2) of section 10 of the Indian Nursing Council Act, 1947 (48 of 1947), declared that the Public Health Nursing Certificate granted by the Kerala Nurses and Midwives Council, Trivandrum with effect from 24th October, 1971 shall be recognised as higher qualification for the purpose of the said Act;

And whereas the said resolution has been published in the Official Gazette with the notification of the Indian Nursing Council No. 11-1/76-INC, dated the 12th December, 1977 as required by sub-section (1) of section 15 of the said Act;

Now, therefore, in pursuance of sub-section (2) of section 15 of the said Act, the Central Government hereby makes the following further amendment in the Schedule to the said Act, so as to bring it into accord with the said declaration, namely:—

In the Schedule to the said Act, in Part II, under the heading “Recognised higher qualifications” after entry 29th, the following entry shall be inserted, namely:—

“30. Kerala Nurses & Mid- Public Health Nursing Certificate granted between 24th October, 1971 to 23rd October, 1972 (both dates inclusive).”

[No. V. 14015/5/77-PMS]

नई दिल्ली, 18 जनवरी, 1978

का० आ० 316.—यतः भारतीय उपचर्या परिषद् अधिनियम, 1947 (1947 का 48) की धारा 10 की उप-धारा (2) के अनुसरण में भारतीय उपचर्या परिषद् ने 2 सितम्बर, 1977 को हुई बैठक में एक संकल्प पारित कर यह घोषणा की है कि 1 अप्रैल, 1971 को या उसके बाद बम्बई विश्वविद्यालय द्वारा दी गई उपचर्या की पोस्ट सर्टीफिकेट बी एस सी डिग्री उक्त अधिनियम के प्रयोजन के लिए मान्यताप्राप्त उच्च अर्हता होगी;

और यतः उक्त अधिनियम की धारा 15 की उप-धारा (1) द्वारा यथाअपेक्षित उपर्युक्त संकल्प को भारतीय उपचर्या परिषद् की 12 दिसम्बर,

1977 की अधिसूचना संख्या 11-1/76 आई एन सी के अन्तर्गत सरकारी राजपत्र में प्रकाशित कर दिया गया है;

अतः अब उक्त अधिनियम की धारा 15 की उप-धारा (2) के अनुसरण में केन्द्रीय सरकार एतद्वारा उक्त अधिनियम की अनुसूची में निम्नलिखित और संशोधित करती है ताकि इसे उक्त घोषणा के अनुरूप बनाया जा सके; अर्थात्:—

उक्त अधिनियम की अनुसूची के भाग 2 में शीर्ष “मान्यताप्राप्त उच्च अर्हताएं” के अन्तर्गत प्रविष्टि 30 के बाद निम्नलिखित प्रविष्टि प्रतिस्थापित की जाए, अर्थात्:—

“31. बम्बई विश्वविद्यालय बम्बई 1 अप्रैल, 1971 को या इसके बाद दी गई उपचर्या की पोस्ट-सर्टीफिकेट बी एस सी डिग्री।”

[सं० बी० 14015/6/77-पी०एम०एस०]

बि० कु० अग्निहोत्री, उप सचिव

New Delhi, the 18th January, 1978

S.O. 316.—Whereas the Indian Nursing Council has, by a resolution passed at a meeting held on the 2nd September, 1977 in pursuance of sub-section (2) of section 10 of the Indian Nursing Council Act, 1947 (48 of 1947), declared that the Post-Certificate B.Sc. Degree in Nursing granted by the Bombay University, Bombay on or after the 1st April, 1971 shall be recognised as higher qualification for the purpose of the said Act;

And whereas the said resolution has been published in the Official Gazette with the notification of the Indian Nursing Council No. 11-1/76-INC, dated the 12th December, 1977 as required by sub-section (1) of section 15 of the said Act;

Now, therefore, in pursuance of sub-section (2) of section 15 of the said Act, the Central Government hereby makes the following further amendment in the Schedule to the said Act, so as to bring it into accord with the said declaration, namely:—

In the Schedule to the said Act, in Part II, under the heading “Recognised Higher Qualifications” after entry 30, the following entry shall be inserted, namely:—

“31. Bombay University, Post-Certificate B.Sc. Degree in Nursing granted on or after the 1st day of April, 1971.”

[No. V. 14015/6/77-PMS]

V. K. AGNIHOTRI, Dy. Secy.

रसायन और उर्वरक मंत्रालय

नई दिल्ली, 10 जनवरी, 1978

का० आ० 317.—सार्वजनिक परिसर (अनधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा निम्नलिखित तालिका के कालम (1) में उल्लिखित अधिकारियों को, सरकार के राजपत्रित अधिकारी के पद के बराबर होने के नाते, उपरोक्त अधिनियम के प्रयोजन के लिये उन्हें सम्पदा अधिकारियों के पद पर नियुक्त करती है। ये सम्पदा अधिकारी प्रदत्त शक्तियों का प्रयोग करेंगे और निम्न तालिका के कालम (2) पर वशिये गये सार्वजनिक परिसर के संबंध में अपने अधिकार क्षेत्र की स्थानीय सीमा के अन्तर्गत उक्त अधिनियम द्वारा अथवा उसके अन्तर्गत सम्पदा अधिकारियों को सौंपे गये कार्यों को करेंगे।

तालिका	
अधिकारी का पदनाम	सार्वजनिक परिसर की श्रेणियों और स्थानीय अधिकार क्षेत्र की सीमाएं
1	2
1. सचिव एवं प्रशासनिक प्रबन्धक, हिन्दुस्तान आर्गनिक कैमिकल्स लि०, पो० ओ० रसायनी, जिला कोलाबा, महाराष्ट्र।	हिन्दुस्तान आर्गनिक कैमिकल्स लि० के प्रशासनिक नियंत्रण के अन्तर्गत आने वाला परिसर जो उनके अधिकार क्षेत्र की स्थानीय सीमा के अन्तर्गत स्थित हो।
2. सहायक कम्पनी सचिव, हिन्दुस्तान आर्गनिक कैमिकल्स लि०, पो० ओ० रसायनी, जिला कोलाबा, महाराष्ट्र।	
3. वरिष्ठ प्रशासनिक अधिकारी, हिन्दुस्तान आर्गनिक कैमिकल्स लि०, पो० ओ० रसायनी, जिला कोलाबा, महाराष्ट्र।	

[फाइल संख्या 17011/6/77-रसा०-II]

जे० डी० गुप्ता, डेस्क अधिकारी

MINISTRY OF CHEMICALS & FERTILISERS

New Delhi, the 10th January, 1978

S.O. 317.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being the officers equivalent to the rank of gazetted officer of Government, to be estate officers for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed, on estate officers by or under the said Act within the local limits of their jurisdiction in respect of the public Premises specified in column (2) of the said Table.

TABLE

Designation of Officers	Categories of public premises and local limits of jurisdiction
1	2
1. Secretary and Administrative Manager, Hindustan Organic Chemicals Ltd., P.O. Rasayani District Kolaba, Maharashtra.	Premises under the administrative control of Hindustan Organic Chemical Ltd. situated within the local limits of their respective jurisdiction.
2. Assistant Company Secretary Hindustan Organic Chemicals Ltd., P. O. Rasayani, District Kolaba, Maharashtra.	
3. Sr. Administrative Officer Hindustan Organic Chemicals Ltd., P. O. Rasayani, District Kolaba, Maharashtra.	

[File No. 17011(6)/77-Ch-II]

J. D. GUPTA, Desk Officer

ऊर्जा मंत्रालय

(विद्युत विभाग)

नई दिल्ली, 23 नवम्बर, 1977

क्र० आ० 318.—विद्युत् (प्रदाय) अधिनियम, 1948 (1948 का 54) की धारा 3 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन० द्वारा केन्द्रीय विद्युत् प्राधिकरण का 21 नवम्बर, 1977 से अगले आदेश होने तक गठन करती है जिसमें निम्नलिखित सदस्य होंगे :—

1. श्री एस० एन० राय, अध्यक्ष, केन्द्रीय विद्युत् प्राधिकरण।
2. श्री एच० आर० कुलकर्णी, सदस्य (ताप), केन्द्रीय विद्युत् प्राधिकरण।
3. श्री एस० एस० मूर्ति, सदस्य (विद्युत् प्रणाली), केन्द्रीय विद्युत् प्राधिकरण।
4. श्री के० पी० तेमनी, सदस्य (आर्थिक और वाणिज्यिक) केन्द्रीय विद्युत् प्राधिकरण।
5. श्री ए० एन० सिंह, सदस्य (जल-विद्युत्) केन्द्रीय विद्युत् प्राधिकरण।
6. श्री एन० सी० बसु, सदस्य (प्रचालन), केन्द्रीय विद्युत् प्राधिकरण।
7. श्री सी० एच० रामकृष्ण राव, संयुक्त सचिव और विधि सलाहकार, विधि कार्य विभाग।

[सं० बिजली-सो-28(8)/72]

जि० दे० मेहतानी, अवर सचिव

MINISTRY OF ENERGY

(Department of Power)

New Delhi, the 23rd November, 1977

S.O. 318.—In exercise of the powers conferred by Section 3 of the Electricity (Supply) Act, 1948 (54 of 1948), the Central Government hereby constitutes the Central Electricity Authority consisting of the following Members with effect from the 21st November, 1977, until further orders :—

- (1) Shri S. N. Roy, Chairman, Central Electricity Authority.
- (2) Shri H. R. Kulkarni, Member (Thermal), Central Electricity Authority.
- (3) Shri S. S. Murthy, Member (Power Systems), Central Electricity Authority.
- (4) Shri K. P. Taimini, Member (Economic & Commercial), Central Electricity Authority.
- (5) Shri A. N. Singh, Member (Hydro-electric), Central Electricity Authority.
- (6) Shri N. C. Basu, Member (Operations), Central Electricity Authority.

(7) Shri C. H. Ramakrishna Rao,
Joint Secretary and Legal Adviser,
Ministry of Law, Justice & Company Affairs,
Department of Legal Affairs.

[No. EL. II-28/8/72]

J. D. MEHTANI, Under Secy.

(कोयला विभाग)

नई दिल्ली, 18 जनवरी, 1978

का० आ० 319.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाखण्ड अनुसूची में वर्णित भूमि में कोयला प्राप्त होने की संभावना है।

अतः, अब केन्द्रीय सरकार, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पर्वेक्षण करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण सेन्ट्रल कोल फील्ड्स लिमिटेड (राजस्व अनुभाग), दरभंगा हाउस, रांची, या उपाखण्ड कार्यालय, गिरिडीह (बिहार), या कोयला नियंत्रक कार्यालय, 1, कौंसिल हाउस स्ट्रीट, कलकत्ता में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में वर्णित सभी नवशेष, चार्ट और अन्य दस्तावेजों, इस अधिसूचना के प्रकाशन की तारीख से 90 दिन के भीतर, राजस्व अधिकारी सेन्ट्रल कोल फील्ड्स लिमिटेड, दरभंगा हाउस, रांची को भेजेंगे।

अनुसूची

धोरी (के) विस्तारण

(पूर्व बोकारो कोयला क्षेत्र)

जिला—गिरिडीह

आदेश सं० राजस्व/41/77, तारीख 4-8-77.

(जिसमें पर्वेक्षण के लिए अधिसूचित भूमि दर्शाते हैं)

क्र०सं० ग्राम	थाना	थाना सं० जिला क्षेत्रफल	टिप्पण
1. धोरी	नवाडीह (बरमो)	68 गिरिडीह	भाग
कुल क्षेत्रफल : 275.00 एकड़ (लगभग) या 111.28 हेक्टर (लगभग)			

सीमा वर्णन :—

क-ख रेखा ग्राम धोरी से होकर जाती है।

ख-ग रेखा ग्राम धोरी से होकर जाती है (जो धोरी कोयला खान की भागतः सामान्य सीमा भी है)।

ग-घ रेखा ग्राम धोरी से होकर जाती है।

घ-ङ-च छ-झ-झ रेखाएं ग्राम धोरी से होकर जाती हैं जो उस क्षेत्र की भागतः सामान्य सीमा भी है जिसका अन्तरण करने के लिए राज्य सरकार को पहले से ही आवेदन किया जा चुका है।

झ-ञ रेखा ग्राम धोरी से होकर जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं० 19(50)/77-सी०एल०]

पुख०आर० ए० रिखी, निवेशक

(Department of Coal)

New Delhi, the 18th January, 1978

S.O. 319.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan of the area covered by this notification can be inspected at the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi, or at the Office of the Deputy Commissioner, Giridih (Bihar), or at the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this Notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Central Coalfields Limited, Darbhanga House, Ranchi, within 90 days from the date of publication of this notification.

SCHEDULE

Dhorhi (K) Extn.

(East Bokaro Coalfield)
District-Giridih

Drg. No. Rev/41/77,
dated 4-8-77

(Showing lands notified for prospecting)

Sl. Village No.	Thana	Thana No.	District	Area	Remarks
1.	Dhrhi	Nawadih 68	Giridih		Part
		(Berma)			
Total area : 275.00 acres (approximately) or 111.28 hectares (approximately)					

Boundary Description :—

A—B line passes through village Dhorhi.

B—C line passes through village Dhorhi (which also form a part common boundary with Dhorhi Colliery).

C—D line passes through village Dhorhi.

D-E-F-G-H-I-J—lines pass through village Dhorhi (which also form a part common boundary with the area already applied to the State Govt. for transfer.

J—A line passes through village Dhorhi and meets at starting point 'A'.

[File No. 19(50)/77-CL]

S. R. A. RIZVI, Director

नॉवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 9 मई, 1977

का० आ० 320.—नाविक भविष्य निधि योजना, 1966 के पैरा 37 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं० सा० आ० 1544, दिनांक 20-4-1976 के अतिक्रमण करते हुए केन्द्रीय सरकार नाविकों की भविष्य निधि के न्यासी बोर्ड के परामर्श से और

प्रशासनिक प्रसार लेखों में अधिशेष पर विचार करते हुए एतद्वारा पवली अप्रैल, 1977 से उक्त योजना के पैरा 35 के अधीन देय प्रशासनिक व्यय 1.75% नियत करता है।

[सं० एम० डब्ल्यू० एस० (7)/76-एमटी]
श्रीमती बी० निर्मल, अवर सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 9th May, 1977

S.O. 320.—In exercise of the powers conferred by paragraph 37 of the Seamen's Provident Fund Scheme, 1966 and in supersession of the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 1544, dated 20-4-1976, the Central Government, in consultation with the Board of Trustees of the Seamen's Provident Fund and considering the surplus in the Administrative Charge Account, hereby fixes, with effect from the 1st April, 1977, the administrative charge payable under paragraph 35 of the said Scheme, at 1.75 per cent.

[No. MWS (2)/77-MT]

नई दिल्ली, 23 जनवरी, 1978

व्यापार पोत

क्र० आ० 321.—राष्ट्रीय नाविक कल्याण बोर्ड नियम, 1963 के नियम 4 और नियम 6 के खंड (घ) (i) और (ङ) (i) के साथ पठित व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 218 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की 29 सितम्बर, 1977 की अधिसूचना सं० क्र० आ० 3321 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में,—

(क) क्र० सं० 7 के सामने प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखें अर्थात्:—

“श्री बी० पी० कुकाधिया, गुजरात सरकार के प्रतिनिधि”;
पत्तन निदेशक,
लोक निर्माण विभाग,
गांधी नगर

(ख) क्र० सं० 12 के सामने प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखें, अर्थात्:—

“कैप्टन एम० के० मैथ्यू, कोचीन पत्तन न्यास के प्रतिनिधि”।
संरक्षक,
कोचीन पत्तन न्यास,
कोचीन।

[क्र० सं० एमडब्ल्यूएस (72)/76-एम टी]
श्रीमती बी० निर्मल, अवर सचिव

New Delhi, the 23rd January, 1978

Merchant Shipping

S.O. 321.—In exercise of the powers conferred by sub-section (1) of section 218 of the Merchant Shipping Act, 1958 (44 of 1958), read with clauses (d)(i) and (e)(i) of rule 4 and rule 6 of the National Welfare Board for Seafarers Rules, 1963, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Shipping and Transport, (Transport Wing), No. S.O. 3321, dated the 29th September, 1977, namely:—

In the said Notification,—

(a) for the entry against S. No. 7 the following shall be substituted, namely:—

“Shri B. P. Kukadia, Representative of the
Director of Ports, Gujarat Government”;
P.W. Department,
Gandhinagar

(b) for the entry against S. No. 12, the following shall be substituted, namely:—

“Capt. M. K. Mathew, Representative of the Cochin
Conservator, Port Trust.”
Cochin Port Trust,
Cochin.

[F. No. MWS(72)/76-MT]
Smt. B. NIRMAL, Under Secy.

नई दिल्ली, 18 जनवरी, 1978

क्र० आ० 322.—दीपपोत अधिनियम 1927 (1927 का 17) की धारा 4 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा सर्वश्री अनंत दवे, सर्वस्य लोक सभा तथा मैसर्स सेवन सीज ट्रांसपोर्टेशन लि० का कैप्टन जी० पी० एस० भल्ला को दीपपोत की केन्द्रीय सलाहकार समिति का सदस्य नियुक्त करती है और भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना क्र० आ० सं० 4416, दिनांक 20 नवम्बर, 1976 में निम्नलिखित और संशोधन करती है; अर्थात्:—

उक्त अधिसूचना में, मद 2 तथा तत्संबंधी प्रविष्टि के स्थान पर निम्नलिखित रखा जाए, अर्थात्:—

“20. श्री अनंत दवे, संसद सर्वस्य लोक सभा, नई दिल्ली” और मद 14 के पश्चात् निम्नलिखित रखा जाएगा, अर्थात्:—

“15. कैप्टन जी० पी० एस० भल्ला, भारतीय मास्टर नाविक कम्पनी मार्फत मै० सेवन सीज के प्रतिनिधि।”
ट्रांसपोर्टेशन लि०,
15-ए, चन्द्रमुखी,
नरीमन पॉइंट,
बम्बई-400021।

[क्र० सं० एल०एस० ई०/35/76]
एस० रामचन्द्र राव, अवर सचिव

New Delhi, the 18th January, 1978

S.O. 322.—In pursuance of sub-section (i) of the Section 4 of the Lighthouses Act, 1927 (17 of 1927), the Central Government hereby appoints Sarva Shri Anant Dave, Member of Lok Sabha, and Capt. G. P. S. Bhalla of M/s. Seven Seas Transportation Ltd., to be members of the Central Advisory Committee for Lighthouses and makes the following further amendments in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 4416, dated the 20th November, 1976, namely:—

In the said notification, for item 2 and the entry relating thereto, the following shall be substituted namely:—

“2. Shri Anant Dave, Member of Parliament Lok Sabha, New Delhi,” and the following shall be incorporated after item 14 namely:—

“15. Capt. G. P. S. Bhalla, Representative of the Com-
pany of Master Mariners of
C/o M/s. Seven Seas India.”
Transportation Ltd.,

15-A, Chander Mukhi,
Nariman Point,
Bombay-400021.

[File No. LLE/35/76]

S. RAMACHANDRA RAO, Under Secy.

व्यापार पोत

क्र० आ० 323:—भारत सरकार के नौबहन और परिवहन मंत्रालय की दिनांक 25-4-1967 की अधिसूचना संख्या सा० आ० 3539 के साथ पठित व्यापार पोत अधिनियम 1958 (1958 का 44) की धारा 7 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, नौबहन महा निदेशक केन्द्रीय सरकार की पूर्व, की स्वीकृति से, एतद्वारा निर्देश देते हैं कि उक्त अधिनियम की धारा 299-ए की उपधारा (1) के अधीन अन्तर्राष्ट्रीय समुद्री यात्राएं करने वाले पांच सौ ग्रन्थवा इससे अधिक सकल टन भार के भारतीय मालबाहो जहाज के संबंध में माल जहाज सुरक्षा निर्माण प्रमाणपत्र जारी करने की शक्ति भारतीय नौबहन रजिस्टर द्वारा भी प्रयोक्तव्य होगी, परन्तु ऐसे प्रमाणपत्र की वैधता की अवधि इसके जारी किए जाने की तारीख से 6 महीनों से अधिक नहीं बढ़ाई जाएगी और भारत सरकार के नौबहन और परिवहन मंत्रालय की दिनांक 28-11-1967 की अधिसूचना सं० सा० आ० 4267 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, सब 6 के बाद निम्नलिखित रखा जाए, अर्थात्:—

“7. भारतीय नौबहन रजिस्टर।”

[सं० 40-एस०एच०(8)/77]

प० ग० गवई, नौबहन महानिदेशक

(Merchant Shipping)

S.O. 323.—In exercise of the powers conferred by sub-section (3) of section 7 of the Merchant Shipping Act, 1958 (44 of 1958) read with the notification of the Government of India in the Ministry of Shipping and Transport, No. S.O. 3539, dated the 25th September, 1967, the Director General of Shipping, with the previous approval of the Central Government, hereby directs that the power to issue cargo ship safety construction certificate in respect of any Indian cargo ship of five hundred tons gross or more performing international voyages, under sub-section (1) of section 299A of the said Act shall also be exercisable by the Indian Register of Shipping, subject to the condition that the period of validity of such certificate shall not extend beyond six months from the date of its issue and further makes the following amendment in the notification of the Government of India in the Ministry of Shipping and Transport No. S.O. 4267, dated the 28th November, 1967, namely:—

In the said notification, after item 6, the following shall be inserted, namely:—

“7. The Indian Register of Shipping.”

[No. 40-SH (8)/77]

P. G. GAVAI, Director General of Shipping

(व्यापार पोत परिवहन)

बम्बई, 18 जनवरी, 1978

शुद्धिपत्र

क्र० आ० 324:—राजपत्र के भाग II, खण्ड 3, उपखण्ड (ii) सं० 28, तारीख 9 जुलाई, 1977 में प्रकाशित व्यापार पोत (अन्न को बुलाई के लिए समस्तुष्य व्यवस्थाएं) आदेश, 1977 सा० आ०

सं० 2251, तारीख 9 मई 1977, के पृष्ठ सं० 2432 से 2458 में—

1. पृष्ठ संख्या 2432

दूसरे पैरा को चौथी पंक्ति में “अन्व” के स्थान पर “अन्न” पढ़ा जाए।

2. पृष्ठ संख्या 2433

(क) परिशिष्ट 1 के नियम 3(क) के उपनियम (3) में “शुद्धि-विकरण” के स्थान पर “शुद्धिकरण” पढ़ा जाए।

(ख) नियम 4(क) की उपधारा (ख) के साथ “नृ” मिटा दिया जाए।

(ग) नियम 4(क) की उपधारा (ख) की पहली पंक्ति में ‘प्रभाव’ के स्थान पर ‘प्रभाग’, दूसरी पंक्ति में ‘निष्पत्ति’ के बदले ‘निष्पत्ति’, तीसरी पंक्ति में ‘दूर’ के स्थान पर ‘दूरी’ चौथी पंक्ति में ‘अवलंब’ के स्थान पर ‘अनुसूचित’ पढ़ा जाए।

(घ) नियम 4(क) की उपधारा (घ) की तीसरी पंक्ति में ‘वृद्धि’ के स्थान पर ‘वृद्ध’ पढ़ा जाए।

(ङ) नियम 5(क) की उपधारा (ख) की चौथी पंक्ति में ‘सुरक्षित’ के बदले ‘सुरक्षित’ पढ़ा जाए।

(च) नियम 6 की पहली पंक्ति में ‘अनुसूचित’ के बदले ‘अनुसूची’ दूसरी पंक्ति में ‘निति’ के बदले ‘नति’ और ‘प्रभारों’ के बदले ‘प्रभावों’, तीसरी पंक्ति में ‘किया’ के बदले ‘दिया’ तथा चौथी पंक्ति में ‘अनुसूचित’ के बदले ‘अनुसूची’ पढ़ा जाए।

(छ) अनुसूची 1 में भाग 4 के बाद भाग 1 पढ़ा जाए।

3. पृष्ठ संख्या 2434

(क) अनुसूची 1 में (क) (2) की पांचवीं पंक्ति में ‘VD=’ पढ़ा जाए, छठी पंक्ति में ‘Vd₁=’, सातवीं पंक्ति में ‘d=’ पढ़ा जाए और उसी पंक्ति में 1 मिटा दिया जाए।

(ख) सारणी 1 में स्तम्भ दो में ‘vd₁’ जोड़ दिया जाए।

(ग) सारणी 1 में (ख) की पांचवीं पंक्ति में ‘नाचे’ के बदले ‘नोचे’ पढ़ा जाए।

4. पृष्ठ संख्या 2435

(क) सारणी में (ख) की नवीं पंक्ति में ‘नोभर’ के बदले ‘नोभरण’ और “नोभरण गुणांक × विस्थापन” मिटा दिया जाए।

(ख) भाग-2 में (ब) (क) में दूसरी पंक्ति में ‘AXXX2’ के स्थान पर ‘A×X×2’ तीसरी पंक्ति में ‘AXYX2’ के स्थान पर ‘A×Y×2’ पढ़ा जाए और चौथी पंक्ति में ‘अहां’ मिटा दिया जाए।

5. पृष्ठ संख्या 2437

(क) भाग 2 (अ) (iii) की उपधारा (1) में दूसरी पंक्ति में ‘में’ के स्थान पर ‘में’ पढ़ा जाए और उपधारा (5) में पहली पंक्ति में ‘टतीय’ के बदले ‘तृतीय’ पढ़ा जाए तथा उपधारा (7) की पंक्ति में ‘अन्तिम’ के बाद ‘रिक्त’ जोड़ दिया जाए।

6. पृष्ठ संख्या 2439

भाग III की शीर्ष पंक्ति में ‘ट्रक’ के बदले ‘ट्रक’ पढ़ा जाए।

7. पृष्ठ संख्या 2440

भाग III (ब) की दूसरी पंक्ति में ‘पूर्ण’ के बदले ‘पूर्ण’ और तीसरी पंक्ति में ‘विच्छिन्नो’ के स्थान पर ‘विच्छिन्नो’ पढ़ा जाए।

8. पृष्ठ संख्या 2442

- (क) अनुसूची II भाग 1 (अ)(ग) की दूसरी पंक्ति में 'बगते' के बदले 'बगते' पढ़ा जाए।
 (ख) अनुसूची II, भाग 1 (अ)(घ)(1) की पहली पंक्ति में 'खोले' के स्थान पर 'खोलों' पढ़ा जाए।

9. पृष्ठ संख्या 2443

- (क) अनुसूची II, भाग 1(अ)(घ)(1) की पाँचवीं पंक्ति में 'धाम' के बदले 'धाम' पढ़ा जाए।
 (ख) अनुसूची II, भाग 1(अ)(ब) की पहली पंक्ति में 'आण्ड' के बदले 'काण्ड' और दूसरी पंक्ति में 'रोड' के बदले 'रोक' पढ़ा जाए।
 (ग) अनुसूची II, भाग 1(अ)(क)(1) "W=1" मिटा दिया जाए और सातवीं पंक्ति में '(H₁—1.22 सेमी०)' के स्थान पर 'H₁—1.2 सेमी०' पढ़ा जाए, तथा नवीं पंक्ति में 'उधर' के स्थान पर 'उधर' पढ़ा जाए।
 (घ) अनुसूची II, भाग 1 (क)(3) की पहली पंक्ति में 'अतिज' के बदले "क्षैतिज" पढ़ा जाए।
 (ङ) अनुसूची II, भाग 1(ङ)(1) की दूसरी पंक्ति में 'है' को मिटा दिया जाए।
 (च) अनुसूची II, भाग 1(ड)(2) की दूसरी पंक्ति में 'निष्ण' के स्थान पर 'निम्न' पढ़ा जाए और सारणी में दूसरी पंक्ति में '4 मी०' के स्थान पर '5 मीटर' पढ़ा जाए।
 (छ) अनुसूची II, भाग 1(ड)(3) की पहली पंक्ति में 'अतज' के बदले 'क्षैतिज' और दूसरी पंक्ति में 'अपूर्ण' के स्थान पर 'आधूर्ण' पढ़ा जाए।

10. पृष्ठ संख्या 2444

- (क) सारणी 1 के स्तम्भ 5 की अन्तिम पंक्ति में '44105' के स्थान पर '14105' और आठवें स्तम्भ की सातवीं पंक्ति में '7880' के स्थान पर '7280' पढ़ा जाए।
 (ख) सारणी के नीचे नोट की चौथी पंक्ति में 'अन्तर्वेशन' के स्थान पर 'अन्तर्वेशन' पढ़ा जाए।
 (ग) सारणी 2 में नोट की तीसरी पंक्ति में 'फलक' के स्थान पर 'फलका', 'उचाई' के स्थान पर 'ऊँचाई' और चौथी पंक्ति में 'उपरोल' के स्थान पर 'उपरोल' पढ़ा जाए।

11. पृष्ठ संख्या 2445

- (क) सारणी 2 (क) की पहली पंक्ति में '12' के स्थान पर '2' और दूसरी पंक्ति में 'प्रमाण' के स्थान पर 'समान' पढ़ा जाए।
 (ख) सारणी 3 के शीर्ष में 'बड़े' के स्थान पर 'खड़े' पढ़ा जाए।
 (ग) सारणी 4 के शीर्ष में (सारणी 2) के बाद 'L' जोड़ दिया जाए और स्तम्भ 5 की दूसरी पंक्ति में '41.1' के स्थान पर '42.1' और स्तम्भ 12 की अन्तिम पंक्ति में '46.5' के स्थान पर '45.6' पढ़ा जाए।

12. पृष्ठ संख्या 2446

- (क) सारणी 4 के नीचे नोट में 'H' के स्थान पर 'L', दूसरे पैरे की पहली पंक्ति में 'सामर्थ्य' के स्थान पर 'सामर्थ्य' तीसरे पैरे की दूसरी पंक्ति में 'उधवाधिर' के स्थान पर 'उधवाधिर' और उसके नीचे 't=', 'a='; "पंतिज" के स्थान पर 'क्षैतिज', 'h=', 'मीटरों' के स्थान पर 'मीटरों', 'P=', 'K=' पढ़ा जाए।
 (ख) सारणी 4 (ङ) की पहली पंक्ति में 'घूर्णों' के स्थान पर 'घूर्णों', छठी पंक्ति में 'मोलेड' के बदले 'मोलेड' पढ़ा जाये।

- (ग) सारणी 4, भाग II(क)(iii) छठी पंक्ति में 'शीर्ष' के स्थान पर 'शीर्ष' और (iv) तेरहवीं पंक्ति में 'विलप' के स्थान पर 'विलप' तथा (vi) की दूसरी पंक्ति में 'बाये' के बदले 'भाग' पढ़ा जाए।

13. पृष्ठ संख्या 2447

- (क) सारणी 4, (ख) के शीर्ष पंक्ति में 'रक्षित' के स्थान पर 'सुरक्षित' पढ़ा जाए।
 (ख) परिशिष्ट II, भाग 1 (1) की पहली पंक्ति में "होगा" के स्थान पर "होना", (2)(ख) दूसरी पंक्ति में 'अनुसार' के स्थान पर 'अनुसार' (क)(3) की तीसरी पंक्ति में 'युक्तियुक्त' के स्थान पर 'युक्तियुक्त' पढ़ा जाए।

14. पृष्ठ संख्या 2448

- परिशिष्ट II, भाग 1 (6)(क) पहली पंक्ति में 'घान' के स्थान पर 'स्थान' और 'मुकाई' के स्थान पर 'मुकाव' पढ़ा जाए।

15. पृष्ठ संख्या 2449

- भाग ख, (ख)(1) सारणी 1 पर टिप्पण की पहली पंक्ति में 'मीटरों' के स्थान पर 'मीटरों' और (ख)(3) (iii) चौथी पंक्ति में 'हैजबान' के स्थान पर 'हैजबान' पढ़ा जाए।

16. पृष्ठ संख्या 2450

- (क) भाग ख, (ङ)(2) चौथी पंक्ति में 'वक्ष' के स्थान पर 'कक्ष' पढ़ा जाए।
 (ख) भाग ख, (अ)(च) में 'विभिन्न' के बदले 'विभिन्न' पढ़ा जाए।
 (ग) भाग ख, (ब)(क) में 'विपाट' के स्थान पर 'विपाट' पढ़ा जाए।

17. पृष्ठ संख्या 2451

- (क) आवृत्ति 4, नियम 3 के बाद नियम 'ग' के स्थान पर नियम '4' पढ़ा जाए।
 (ख) नियम 4(क)(1) की दूसरी पंक्ति में '1.1' के स्थान पर 'II' पढ़ा जाए।

18. पृष्ठ संख्या 2453

- (क) खण्ड 5 में 'व्यवधाए' के स्थान पर 'व्यवस्थाए' पढ़ा जाए।
 (ख) खण्ड 5 में (घ) की नवीं पंक्ति में 'गणाक' के बदले 'गुणाक' पढ़ा जाए।

19. पृष्ठ संख्या 2454

- (क) (क)(ख) की चौथी पंक्ति में 'कलके' के स्थान पर 'कलके' पढ़ा जाए।
 (ख) (ग)(1) की नवीं पंक्ति में 'एन' के स्थान पर 'एन' पढ़ा जाए।

20. पृष्ठ संख्या 2456

- (क) सारणी 2 की नोट में चौथी पंक्ति में 'उर्वस्थ' के स्थान पर 'उर्वस्थ' पढ़ा जाए।
 (ख) सारणी 2 के बाद (ग) की चौथी पंक्ति में 'घोर' के स्थान पर 'घोर' पढ़ा जाए।
 (ग) सारणी 3 के नोट में 'बी-प्रपंज' के स्थान पर 'बी-प्रपंज' पढ़ा जाए और नीचे नोट में 'अन्तर्वेशन' के स्थान पर 'अन्तर्वेशन' पढ़ा जाए।

21. पृष्ठ संख्या 2457

- (क) सारणी 4 के शीर्ष पंक्ति में 'रे' के स्थान पर 'खड़े' पढ़ा जाए।

- (ख) सारणी 4 के नोट की पहली पंक्ति में 'उर्ध्वार' के स्थान पर 'उर्ध्वधर' और दूसरी पंक्ति में 'सामर्थ्य' के स्थान पर 'सामर्थ्य' पढ़ा जाए।
- (ग) सारणी 4 के नीचे अनुप्रस्थ प्रभाग के सोलहवीं पंक्ति में 'दात्रा' के स्थान पर 'दात्र' पढ़ा जाए।
- (घ) सारणी 4 के नीचे (घ) की आठवीं पंक्ति में 'क' के स्थान पर 'के', नवीं पंक्ति में 'तस्सरी' के स्थान पर 'तसरी' और 'वारा' के स्थान पर 'वारा' पढ़ा जाए।
- (ङ) सारणी 4 के नीचे (झ) के दूसरे पैरे में 'हैज' के स्थान पर 'हैच' पढ़ा जाए।
- (च) सारणी 4 के नीचे (झ) में 'प्रतुज' के स्थान पर 'प्रवुज' पढ़ा जाए।
- (छ) सारणी 4 के नीचे (ङ) (क) के दूसरे पैरे की चौथी पंक्ति से 'से' मिटा दिया जाए।

22. पृष्ठ संख्या 2458

- (क) धारा (क) की उपधारा (7) में 'जाएंगे' के बचले 'जाएंगे' पढ़ा जाए।
- (ख) धारा (ख) की सातवीं पंक्ति में 'सन्निमित' के स्थान पर 'सन्निमित' पढ़ा जाए।

[फाइल सं० 9-एस०एल०(3)/74]

विनोद नय्यर, नीवहुन जेष्ठ उप महानिदेशक

(Merchant Shipping)

Bombay, the 18th January, 1978

CORRIGENDA

S.O. 324.—In the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 2251, dated the 9th May, 1977, published at pages 2458 to 2483 of the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 9th July, 1977,—

- (1) at page 2459,—
- (a) in column 1, in line 8, for "provisions", read "provisions";
- (b) in column 2,—
- (i) in line 2, for "resonable", read "reasonable";
- (ii) in line 47, for "hight", read "height";
- (iii) in line 51, for "adequatly", read "adequately";
- (2) at page 2460, in column 2, in Schedule I, Part I, paragraph (b),
- (a) in line 7, for "center", read "Centre";
- (b) in line 9, for "graings", read "grain";
- (c) in line 10, for "momet", read "moment";
- (3) at page 2464, in column 1, in schedule I, Part II, in sub-paragraph (5)(3), omit "-Vr 2";
- (4) at page 2465,—
- (a) in column 1, in Schedule I, Part II, in sub-paragraph (iv),—
- (i) in line 8, for "Centoid", read "Centroid";
- (ii) in line 12, for "accordinly", read "accordingly";
- (b) in column 2, in Schedule I, Part II, in sub-paragraph (iv),—
- (i) in line 2, for "weather", read "weather deck";
- (ii) in line 6, omit "of";
- (iii) in line 7, for "origional", read "original";
- (5) at page 2466, in column 2, in Schedule I, Part IV,—
- (a) in line 17, for "tranfer", read "transfer";
- (b) in line 24, for "acutal", read "actual";
- (6) at page 2468, in Schedule I, Part IV, in foot-note below diagram, for "space", read "spacing";

(7) at page 2469,—

- (a) in column 1, in Schedule II, Part I, in sub-paragraph (d)(iii) of paragraph (A), line 1, for "movement", read "moment";
- (b) In column 2, in Schedule II, Part I,—
- (i) in sub-paragraph (b) of paragraph (B), in line 2, for "stenth", read "strenght";
- (ii) in sub-paragraph (c)(i) of paragraph (B), line 4, for "moduls", read "modulus";
- (iii) in sub-paragraph (c)(ii) of paragraph (B),—
- (A) in line 3, for "moudli", read "moduli";
- (B) in line 5, for "stesses", read "stresses";
- (8) at page 2472, in column 2, in Schedule II, Part I, in paragraph (D), in line 6, for "less than", read "not less than";
- (9) at page 2473, in column 1, in Schedule II, Part II, in sub-paragraph (a)(iv) of paragraph (A),—
- (a) in line 10, for "tree", read "thre";
- (b) in line 11, for "no", read "not";
- (10) at page 2474,—
- (a) in column 1, in Appendix II, Part I(A), in sub-paragraph (b) of paragraph 5, in line 1, for "compartments", read "compartment";
- (b) in column 2, in Appendix II, Part I(A),—
- (i) in sub-paragraph (a)(ii) of paragraph 11,—
- (A) in line 1, for "table", read "tables";
- (B) in line 4, for "Paragraph (c)", read "Paragraph 4(c)";
- (ii) in sub-paragraph (a)(iii) of paragraph 11, in line 3, after "meet", insert "the";
- (11) at page 2475, in column 2, in foot-note (3)(c) in line 13, for "1.05", read "1.06";
- (12) at page 2479,—
- (a) in column 1, in sub-paragraph (d) of paragraph (C), for "LBVD", read "LBVD";
- (b) in column 2, in sub-paragraph (a) of paragraph (A) in lines 6 and 7, for "lirection", read "direction";
- (13) at page 2481,—
- in Table II, in column 16, in line 6, for "4245", read "4240".

[File No. 9-SL(3)/74]

VINOD NAIR, Senior Dy, Director General of Shipping.

निर्माण और आवास मंत्रालय

(दिल्ली विकास प्राधिकरण)

नई दिल्ली, 17 जनवरी, 1978

शुद्धिपत्र

विषय:—प्रसम सरकार को राज्य प्रतिष्ठि गृह हेतु भूमि के प्राबंटन के सम्बन्ध में

क्र० आ० 325.—उक्त विषय पर इस कार्यालय की अधिसूचना सं० एस० एण्ड एस०, 33(13) 77-ए० एस० ओ०(1)/747-48, दिनांक 4-11-77 के संशोधन में मुझे यह कहना है कि निर्माण एवं आवास मंत्रालय, भूमि एवं विकास कार्यालय को प्रसम सरकार को प्राबंटन हेतु प्रस्तुत की गई 2535 वर्ग गज धरणा 2119.59 मीटर भूमि के स्थान

पर 2530 वर्ग गज अथवा 2115.40 वर्ग मीटर (भूमि) रखा जाय।
किन्तु आबंटन की समस्त शर्तों एवं नियमों में कोई परिवर्तन नहीं किया गया।

[सं० एस० एण्ड एस० 33(13)/77-ए०एस०ओ०-(I)/126-28]

कृष्ण प्रताप, सचिव

MINISTRY OF WORKS AND HOUSING

(Delhi Development Authority)

CORRIGENDUM

New Delhi, the 17th January, 1978

Subject :—Allotment of land to the Govt. of Assam for construction of State Guest House.

S.O. 325.—In partial modification of this office notification No. S&S. 33(13)/77-ASO (I)/747-48, dated 4-11-1977 on the above cited subject, I am to say that area measuring 2535 sq. yds. or 2119.59 sq. mtrs. replaced to Ministry of Works & Housing Land & Development Office for allotment to Govt. of Assam may be substituted as 2530 sq. yds. or 2115.40 sq. mtrs.

However, all other terms and conditions of the allotment remain unchanged.

[No. S&S 33(13)/77-ASO (I)/126-28]
KRISHNA PRATAP, Secy.

नई दिल्ली, 18 जनवरी, 1978

का० आ० 326 :—दिल्ली महानगर परिषद् के सदस्यों सर्वश्री केदारनाथ साहनी, ईश्वर दास महाजन और पी० एन० सिंह को दिल्ली विकास प्राधिकरण के लिए अपना प्रतिनिधि के रूप में चुने जाने के फलस्वरूप केन्द्रीय सरकार, दिल्ली विकास अधिनियम 1957 (1957 का 61) की धारा 3 की उपधारा (3) के खण्ड (घ) के साथ पठित उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भूतपूर्व स्वास्थ्य मंत्रालय के दिनांक 30 दिसम्बर, 1957 की अधिसूचना सं० 12-173/57-एल० एस० जी० में निम्नलिखित और संशोधन करती है, नामतः नामतः :

उक्त अधिसूचना की मद सं० 7, 8 और 8क में "श्री राधाधरमण, श्री प्रेमसिंह और श्री बुजुलाल गोस्वामी, क" इत्यादि के लिए क्रमशः निम्नलिखित इत्यादि प्रतिस्थापित किए जाएंगे :—

- "7. श्री केदार नाथ साहनी
- 8. श्री ईश्वर दास महाजन
- 8क. श्री पी०एन० सिंह।"

[सं० के०-11011/47/77-यू०डी०-1 (बी०)]

बी० एन० मुखर्जी, उप-सचिव

New Delhi, the 18th January, 1978

S.O. 326.—The members of the Metropolitan Council of Delhi having elected S/Shri Kidar Nath Sahni, Ishwar Das Mahajan and P. N. Singh as their representatives on the Delhi Development Authority, the Central Government in exercise of the powers conferred by sub-section (1) read with clause (f) of sub-section (3) of section 3 of the Delhi Development Act, 1957 (61 of 1957), makes the following further amendment in the late Ministry of Health, notification No. 12-173/57-LSG, dated the 30th December, 1957, namely :—

In the said Notification, in the items number 7, 8 and 8A for the entries "Shri Radha Raman, Shri Prem Singh and Shri Brij Lal Goswami, the following entries shall respectively be substituted :—

- "7 Shri Kidar Nath Sahni
- 8 Shri Ishwar Das Mahajan
- 8A Shri P. N. Singh."

[No. K. 11011/47/77-UDI(B)]

B. N. MUKHERJEE, Dy. Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 16 दिसम्बर, 1977

का० आ० 327 :—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (2) और (4) के अनुपालन में रेल मंत्रालय (रेलवे बोर्ड) निम्नलिखित रेल कार्यालयों को, जहाँ के कार्यचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, केन्द्रीय सरकार के कार्यालयों के रूप में, अधिसूचित करता है :—

1. पूर्वोत्तर रेलवे, सभी मण्डलों और कारखानों सहित।
2. रेल सेवा आयोग, मुजफ्फरपुर।
3. मण्डल अधीक्षक का कार्यालय, इलाहाबाद, उत्तर रेलवे।
4. क्षेत्रीय कार्यालय, कानपुर, उत्तर रेलवे।
5. मण्डल अधीक्षक का कार्यालय, दानापुर, पूर्व रेलवे।

[सं० हिन्दी-77/रा०भा०-15/7]]

बी० मोहन्ती, सचिव एवं पदेन सयुक्त सचिव

MINISTRY OF RAILWAYS

(Railways Board)

New Delhi, the 16th December, 1977

S.O. 327.—In pursuance of Sub-rules (2) & (4) of Rule 10 of the Official Languages (Use for the Official purposes of the Union) Rules, 1976, the Ministry of Railways (Railway Board) hereby notify the undermentioned offices, as Central Government offices, the staff whereof have acquired the working knowledge of Hindi :—

1. North-Eastern Railway, including all Divisions & Workshops.
2. Railway Service Commission, Muzaffarpur.
3. Office of the Divisional Superintendent, Allahabad, Northern Railway.
4. Area office, Kanpur, Northern Railway.
5. Office of the Divisional Superintendent, Danapur, Eastern Railway.

[Hindi-77/OL-15/7]

B. MOHANTY, Secy. & Ex-officio Jt. Secy.

संचार मंत्रालय

(डाक-तार बोर्ड)

नई दिल्ली, 25 जनवरी, 1978

का० आ० 328 :—स्वाधी आदेश, संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड iii के पैरा (क) के अनुसार डाक-तार महानिदेशक ने हरिहर टेलीफोन केन्द्र में दिनांक 16-2-78 से प्रभाविता वर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-6/78-पी एच बी]

के० बी० मुदगल, सहायक महानिदेशक (पी०एच० बी०)

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 25th January, 1978

S.O. 328.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627, dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-2-1978 as the date on which the Measured Rate System will be introduced in Harihar Telephone Exchange, Karnataka Circle.

[No. 5-6/78-PHB]

K. B. MUDGAL, Asstt. Director General (PHB)

श्रम मंत्रालय

अधिश

नई दिल्ली, 17 जनवरी, 1978

का० आ० 329:—यतः छावनी बोर्ड रामगढ़ के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व रामगढ़ छावनी बोर्ड श्रमिक संघ, रामगढ़ करता है, एक औद्योगिक विवाद विद्यमान है;

और यतः उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद, अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्ति के माध्यस्थ के लिए निवेशित करने का करार कर लिया है और उक्त माध्यस्थ करार को एक प्रति केन्द्रीय सरकार को भेजी गई है;

अतः, अब, उक्त अधिनियम की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थ, करार से, जो उसे 5 जनवरी, 1978 को मिला था, प्रकाशित करती है।

करार

औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन करार रामगढ़ छावनी बोर्ड और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व रामगढ़ छावनी बोर्ड श्रमिक संघ, रामगढ़, जिला हजारीबाग करता है।

पक्षकारों के नाम :

1. श्री ए० के० बस,

नियोजकों का प्रतिनिधित्व करने वाले :

छावनी कार्यपालक अधिकारी,
रामगढ़, छावनी बोर्ड,
जिला हजारीबाग।

कर्मचारों का प्रतिनिधित्व करने वाले:

2. श्री के० एस० कमल,
महामंत्री,
छावनी बोर्ड श्रमिक संघ,
रामगढ़।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री एस० बी० सिंह, सहायक श्रमायुक्त (केन्द्रीय) हजारीबाग के माध्यस्थ के लिए निवेशित करने का करार किया गया है:—

- (1) "I. क्या रामगढ़, छावनी बोर्ड के प्रबंधन की श्री विक्रमादित्य मिश्र, चौकीदार छावनी बोर्ड, रामगढ़ के जन्म-तारीख को 15 मार्च, 1919 के रूप में रिकार्ड करने की कार्रवाई न्यायोचित है?

II. यदि नहीं, तो सर्विस रिकार्ड में दर्ज करने के लिए उनकी जन्म तारीख क्या होनी चाहिए और वह किस अनुतोप के हकदार है?"

- (2) विवाद के पक्षकारों का विवरण रामगढ़ छावनी बोर्ड, डाकखाना जिसमें अन्तर्गत स्थापन रामगढ़, जिला हजारीबाग या उपक्रम का नाम और पता का प्रबंधन और रामगढ़ भी सम्मिलित है: छावनी बोर्ड श्रमिक संघ, डाकखाना रामगढ़, जिला हजारीबाग।

- (3) कर्मकार का नाम यदि वह श्री विक्रमादित्य मिश्र चौकीदार, विवाद में स्वयं अन्तर्गस्त है या छावनी बोर्ड जिसका प्रति-यदि कोई संघ प्रवर्ग कर्मकार/निधित्व महामंत्री, रामगढ़ कर्मचारों का प्रतिनिधित्व करता छावनी बोर्ड श्रमिक संघ ने हो तो उसका नाम: किया है।

- (4) प्रभावित उपक्रम में नियोजित कर्मचारों की कुल संख्या :

250

- (5) विवाद द्वारा प्रभावित या संभावित: प्रभावित होने वाले कर्मचारों की प्राक्कलित संख्या

हम यह करार भी करते हैं कि माध्यस्थ अपना पंचाट भारत सरकार द्वारा भारत के राजपत्र में इस करार के प्रकाशन की तारीख से तीन मास की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जायेगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थ के लिए निवेश स्वतः रद्द हो जाएगा और हम नये माध्यस्थ के लिए बातचीत करने को स्वतन्त्र होंगे।

पक्षकारों के हस्ताक्षर

नियोजक का प्रतिनिधित्व करने वाले कर्मचारों का प्रतिनिधित्व करने वाले

ह०/-

ह०/-

(ए० के० बस)

(के० एस० कमल)

छावनी कार्यपालक अधिकारी,
रामगढ़, 30-12-77

महा मंत्री, रामगढ़ छावनी बोर्ड
श्रमिक संघ

साक्षी:—

1. हस्ताक्षर/—30-12-1977

2. हस्ताक्षर/—30-12-1977

[संख्या एल-13012(1)/78-बी-II (बी)]

हरबन्स बहादुर, डेस्क अधिकारी

MINISTRY OF LABOUR

ORDER

New Delhi, the 17th January, 1978

S.O. 329.—Whereas an industrial dispute exists between the employers in relation to the management of the Cantonment Board, Ramgarh, and its workmen represented by the Ramgarh Cantonment Board Workers' Union, Ramgarh;

And, whereas, the said employers and workmen have, by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration by the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said arbitration agreement which was received by it on the 5th January, 1978.

AGREEMENT

Agreement under Section 10-A of the Industrial Disputes Act, 1947.

BETWEEN

Ramgarh Cantonment Board and their workmen represented by Ramgarh Cantonment Board Workers' Union Ramgarh, Dist. Hazaribagh.

Representing Employers.—1. Sri A. K. Bose, Cantonment Executive Officer, Ramgarh Cantt. Board, Dist. Hazaribagh.

Representing workmen.—2. Shri K. S. Karnal, General Secretary, Cantonment Board Workers' Union Ramgarh.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Sri S. B. Singh, Asstt. Labour Commissioner (C), Hazaribagh:—

- (i) "I. whether action of the management of Ramgarh Cantonment Board in recording the date of birth of Sri Bikarnaditya Mishra, Chowkidar, Cantonment Board, Ramgarh as 15-3-1919 is justified?

II. If not, what should be his date of birth to be recorded in service record and to what relief he is entitled?"

- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved;

Management of Ramgarh Cantonment Board, P.O. Ramgarh, Dist. Hazaribagh;

AND

Ramgarh Cantonment Board Workers' Union, P.O. Ramgarh, Dist. Hazaribagh.

- (iii) Name of the workman in case he himself is involved in the dispute or the name of the union, if any, representing the workman or workmen in question;

Sri Bikramaditya Mishra, Chowkidar of Cantonment Board is represented by the General Secretary, Ramgarh Cantonment Board Workers' Union.

- (iv) Total number of workmen employed in the undertaking affected250.

- (v) Estimated number of workmen affected or likely to be affected by the dispute1.

We further agree that the arbitrator shall make his award within a period of 3 months from the date of publication of this agreement in the Official Gazette by the Government of India or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties

Representing Employer :

Sd/-

(A. K. Bose),
Cantonment Executive
Officer, Ramgarh. 30-12-77.
Cantonment Board Workers'

Sd/-

(K. S. Kamal),
General Secy. Ramgarh
Cantonment Board Workers
Union.

Witnesses :—

1. Sd/- 30-12-77.
2. Sd/- 30-12-77.

[No. L-13012(1)/78-D.II(B)]

HARBANS BAHADUR, Desk Officer

जारी

नई दिल्ली, 19 नवम्बर, 1977

का.अ. 330.—केन्द्रीय सरकार की राय है कि इससे उपरोक्त अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स सिंगरेनी कोलियरीज कम्पनी लिमिटेड, रामगुंडम के प्रबन्धनत्व से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीछासीन अधिकारी श्री के. पी. नारायण राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

म्या मैसर्स सिंगरेनी कोलियरीज कम्पनी लिमिटेड रामगुंडम, विधिवत-II के प्रबन्धनत्व की श्री सेनी नरसैया रावमैम को 20-1-1978

से सेवा से हटा देने की कार्रवाई न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुसूची का हकदार है?

[संख्या एल०-21012/2/76-डी०-III(बी०)/डी०-IV(बी०)]

भूपेन्द्र नाथ, डेस्क अधिकारी

ORDER

New Delhi, the 19th November, 1977

S.O. 330.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Singareni Collieries Company Limited; Ramagundam and their workmen in respect of the matter specified in the Schedule hereto annexed:

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. P. Narayana Rao shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Messrs Singareni Collieries Company Limited, Ramagundam Division-II in terminating the services of Shri Saini Narasaiah, Watchman with effect from 20-1-1976 is justified? If not, to what relief is the concerned workman entitled?

[No. L-21012/2/76-D. III(B)/D-IV(B)]

BHUPENDRA NATH, Desk Officer

New Delhi, the 18th January, 1978

S.O. 331.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of Messrs P. Devarajooloo Naidu and Son, Madras-600001 and their workmen which was received by the Central Government on the 12th January, 1978.

BEFORE THIRU K. SELVARATNAM, B.A., B.L.

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,

MADRAS

(Constituted by the Central Government)

Tuesday, the 27th day of December, 1977

Industrial Dispute No. 62 of 1976

(In the matter of the dispute for adjudication under Section 10(i)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of M/s. P. Devarajooloo Naidu and Son, Stevedores, Madras-1).

BETWEEN

The General Secretary, Madras Port and Dock Worker's Congress, 11, Philips Street, Madras-1.

AND

M/s. P. Devarajooloo Naidu and Son, Stevedores, P. R. No. 1396, 24, North Beach Road, Madras-1.

REFERENCE :

Order No. L. 33011 (2)/76-D.IVA, dated 3-12-1976 of the Ministry of Labour, Government of India.

This dispute coming on for final hearing on Tuesday, the 20th day of December, 1977 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thruvalargal P. V. Marthandam and P. Vijayakumar, Advocates for the workmen and of Thiru M. S. Sundararajan, Advocate appearing

for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following:

AWARD

This is a reference by the Government of India under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication of an Industrial Dispute between Messrs. P. Davarajooloo Naidu and Son, Madras-1 and their workmen in respect of their placing 23 workmen under suspension with effect from 10-5-76.

2. The reference is as follows :

Whether the management of Messrs P. Davarajooloo Naidu and Son, Madras are justified in placing the Workmen mentioned in Annexure hereby under suspension with effect from 10th May, 1976? If not, to what relief are the concerned workmen entitled?

ANNEXURE

I. Dock Supervisors

1. Shri K. R. Varadaraj
2. Shri P. A. Jotheeswaran
3. Shri R. Thanickachalam
4. Shri T. Nagarajulu
5. Shri R. Victor
6. Shri N. R. Krishnamoorthy

II. Gear Foremen

1. Shri D. Balakrishnan
2. Shri M. S. Prakasam

III. Dock Clerks

1. Shri K. Veeraraghavan
2. Shri P. Thiruvengadam
3. Shri P. Sri Ramulu
4. Shri P. Jeyaram
5. Shri M. Ramamurthy
6. Shri T. J. Chitti Babu
7. Shri S. B. Ramachandran
8. Shri K. L. Subramaniam
9. Shri P. S. Vinayagam
10. Shri K. Munuswamy

IV. Gear Mazdoors

1. Shri K. Olaganathan
2. Shri D. Palaniswamy
3. Shri R. V. Doraiswamy
4. Shri K. Palani
5. Shri G. Chinnathambi

3. The General Secretary of Madras Port and Dock Workers Congress filed a Claim Statement on behalf of the workmen. The averments are as follows : The Respondent Management firm, viz., M/s. P. Davarajooloo Naidu & Son are carrying on business at Madras as STEVEDORES for the past 75 years and the workmen referred to in Annexure to the reference comprised the entire staff excepting the Assistant Manager and an Office Boy. The six workers mentioned in the Annexure as Dock Supervisors do not do any supervisory work, but they attend to the work of loading and unloading cargo on board ships or vessels which arrive at the Madras Harbour. The other workers mentioned in the Annexure are also workmen within the meaning of the definition 2(s) of the Industrial Disputes Act. The Respondent Management failed to implement the Interim relief awarded by the Ministry of Labour, Government of India as per the recommendations of the Central Wage Board in or about 1974 and an approximate amount of arrears comes to about Rs. 10,400/-. They did not pay even interim bonus for the year 1974 at 4 per cent. The Respondent agreed to pay arrears of piece rate wages to the Dock Staff from January 1973 to 28-2-1975 amounting to Rs. 26,000/-. but that was not paid. Similarly, several amounts due to them were not paid by the Management. In view of the misfeasance of the Respondent Firm the workers made an appeal on 30-3-1976 to the Managing Partner of the Firm, when the Vessel "M. V. Export Adventurer" was berthed in the dock, but their appeal was not heard. The Management got offended and issued a show cause memorandum dated 10-5-1976 to each worker containing false charges. The workers filed their explanation denying

the charges. The Management did not accept the explanation and proceeded the domestic enquiry. The Petitioners herein wanted adjournments on valid ground, but it was rejected. The Petitioners were made ex parte. The workmen were placed under suspension even without payment of subsistence allowance at the rate of 50 per cent of the total emoluments which they were entitled to. There is no legal basis for suspending them when there is no contract of service in writing and no letter of appointment was issued to the Petitioners. Therefore, the Petitioners are entitled to full wages for the entire period of suspension commencing from 10-5-1976. The charges were baseless and were invented to victimise and harass all the workers. The Respondent Firm stopped their business from 1-5-1976 and their license as "Stevedores" was not renewed by the Port Trust. In those circumstances, they have sought their relief before this Tribunal for an Award holding the orders of suspension dated 10-5-1976 issued to each worker as illegal and void and directing payment of full wages to each worker from January, 1976 upto date.

4. A counter statement was filed by the Respondent denying all the allegations. In their counter, the Management contended that the Dock Supervisors mentioned in the Government reference are paid wages over Rs. 500/- per mensem and employed in Supervisory capacity. The Dock Clerks are actually supervising the works of tally clerks, Shipping Shipping Clerks of the Shippers, clerks of the Clearing and Forwarding Agents and clerks from the Pool of Casual workers of the Madras Stevedores' Association and not ministerial servants and they also paid remuneration more than Rs. 500/- per mensem. Thiru D. Balakrishnan was a Gear Foreman earning Rs. 601-43ps. per mensem and he was actually supervising the operations of the gear mazdoors deputed by the Madras Stevedores' Association and those belonging to the firm. Therefore, the Petition is not maintainable and this Court has no jurisdiction to deal with the dispute as the above persons employed by the firm are not "workmen" as defined in Section 2(a) of the Industrial Disputes Act, 1947. Hence the Petition is liable to be dismissed in limine. Assuming that this Tribunal has jurisdiction, the suspension on 10-5-1976 issued to the 23 staff members was in order, as the domestic enquiry was pending in respect of their misconduct as per the charge sheet. It was the staff member who were protracting the enquiry though they were fully aware the matter was finally posted on 15-3-1977 and they failed to participate. Therefore, the Management was justified in suspending them. The allegations that the Respondent failed to implement the Wage Board Recommendations and failed to pay the Employees' Contribution of Provident Fund, etc., are outside the scope of the enquiry. The Respondent have made arrangement with the respective statutory authorities in respect of these matters. The conduct of the workmen at the time of berthing of "M. V. Export Adventurer" has to be gone into only in the domestic enquiry and adjudicated only by the enquiry officer. They are not entitled to subsistence allowance also as they have deliberately boycotted the domestic enquiry with a view to protract and circumvent the Industrial Law. In these circumstances, the orders of suspension are legal and the reference has to be answered in favour of the Management.

5. The Union filed a Reply Statement repudiating the claim of the Management that Dock Supervisors were doing only the supervisory work and stated that they were attending to the loading and unloading cargo and their functions were manifold not confining to supervisory work alone. As regards the Dock Clerks, they do not do supervisory work of Tally Clerks or Shipping Clerks or the work of other persons and they are doing ministerial work, such as checking the tally sheets prepared by the Tally Clerks employed by the Madras Port Trust and the Madras Dock Labour Board and prepare the abstract of the actual cargo loaded and unloaded and other documents relating to the loading of the cargo, namely, Mate's Receipts and the Export General Manifest. As regards the Gear Foremen, they do the work of obtaining the necessary equipment and bring them to the wharf and after loading and unloading work is over the equipment is removed and handed over to the respective persons from whom they were taken on hire and the Foreman is responsible for the safety of the various item of equipment and the Foreman does not control or supervise the work of any subordinate. In the above circumstances, notwithstanding the salary of the workmen being more than Rs. 500/-, they would be still workmen within the meaning of the Industrial Disputes Act. Therefore, the preliminary objection raised is not sustainable.

6. The points that arise for consideration are : (1) whether the reference for adjudication is not maintainable, (2) whether the suspension of the workmen mentioned in the reference is justified and (3) to what relief the workmen are entitled.

7. Point No. 1 : Before the workmen seek relief in the hands of the Industrial Tribunal, it is imperative on the part of the workmen to show that they are workmen within the meaning of Section 2 (s) of the Industrial Disputes Act. The contention of the Management is that they are not workmen on two grounds, viz., (i) their work is only supervisory in character and (ii) they are drawing emoluments more than Rs. 500/- per mensem. So far as the emoluments are concerned, the Management filed a list showing the respective emoluments drawn by each worker and they had given in their memo particulars copied from the Acquittance Register and that will show that the Dock Supervisor are drawing more than Rs. 500/- and it has been admitted in their memo. As regards the category of Gear Foremen, the fact that one of the two workers Thiru D. Balakrishnan has been drawing more than Rs. 500/- is admitted. So far as Thiru M. S. Prakasam is concerned, it has been shown by the workmen that he was drawing less than Rs. 500/- which has not been contradicted by the Management in their statement. Therefore I have to hold that he is drawing less than Rs. 500/-. Regarding Dock Clerks who are 10 in number their emoluments have been shown as above Rs. 500/- by the Management which is accepted by the workmen. Regarding Dock Mazdoors are concerned who are 5 in number, the Union has filed a statement showing that they are drawing less than Rs. 500/- which has not been contradicted by the Management. Hence I accept that they are drawing less than Rs. 500/- per mensem. From the emoluments point of view it has been established that the first three categories excepting Thiru M. S. Prakasam (Gear Foreman) are drawing more than Rs. 500/- per mensem and the fourth category, namely Gear Mazdoors and Gear Foremen Thiru M. S. Prakasam are drawing less than Rs. 500/-. It is to be noted that the definition contemplates both emoluments as well as the nature of work they do.

8. As regard the nature of work done by the above categories of workmen, the contention of the Management is that they are doing only supervisory work, whereas the contention of the Union is that they are not doing supervisory work and they are doing either ministerial work or physical labour. The counsel for the Management was at pains to show and cites decisions how to construe the nature of the work done by each workmen. Evidence was also let in on both sides on this aspect. The learned counsel for the Management cited a decision in 1971 Labour and Industrial Cases, page 700 (Burmah Shell Oil Storage and Distribution Co. of India Ltd., v. Management Staff Association), wherein it has been observed at page 704 :

"The principle is now well settled that, for this purpose, a workmen must be held to be employed to do that work which is the main work he is required to do, even though he may be incidentally doing other type of work."

In that decision also the case Ananda Bazar Patrika (Private) Ltd., vs. its workmen (1969-2 Lab. LJ 670(SC)) has been cited, which enunciated the principle by stating :

"The principle which should be followed in deciding the question whether a person is employed in a supervisory capacity or on clerical work is that if a person is mainly doing supervisory work but incidentally or for a fraction of the time also does some clerical work, it would have to be held that he is employed in supervisory capacity, and, conversely, if the main work done is of clerical nature, the mere fact that some supervisory duties are also carried out incidentally or as small fraction of the work done by him will not convert his employment as a clerk into one in supervisory capacity."

Therefore the principle enunciated in the above decision makes it quite clear that each case has to be judged on its own facts, in coming to the conclusion whether the work entrusted to him is a mere supervisory one or not. I have considered the evidence in this case as to the work done by the various categories of persons under reference. So far as the IV Category Gear Mazdoors are concerned, it has been established that they are drawing less than Rs. 500 and therefore it is not necessary to go into their functions. The first category is Dock Supervisors. Thiru P. A. Jotheeswaran,

the Dock Supervisor was examined as W.W. 1. He would describe the duties of a Dock Supervisor. He would say that as soon as the Ship arrives in the Dock, he reports to the office and after taking instructions from the Dock Superintendent and proceeds to the ship with a gang slip. They go on board and meet the Chief Officer or the Duty Officer along with the Dock Superintendent. The Duty Officer or the Chief Officer gives instructions as to what are the hatches to be opened for unloading or loading and after receiving all instructions from the Dock Superintendent he passes on the instructions to the Tindal of Madras Dock Labour Board. Then the workers of the Madras Stevedores Association are also instructed for rigging up the derricks and thereafter he gives instructions to the Tindal to open up the hatches and the Madras Dock Labour Board Mazdoors open up the hatches. After that, the cargo is unloaded. The Chief Officer gives a booking list as to where the cargo to be stowed in the hatches. Before loading, the Dunnage Mazdoors would place the Dunnage wood and start loading. It is abundantly clear that the Dock Supervisors are not merely supervising the work and they are engaged in loading and unloading cargo into the ship by engaging Mazdoors from the Madras Dock Labour Board. He also speaks about the functions of a Dock Clerk. He enumerates the duties of Dock Clerks. "The Dock Clerks will be instructed by the Dock Superintendent to write the Stevedoring report, applying of cranes, cargo particulars, preparation of Mate's receipt, Export General manifest. They also collect Shipping bills from the Shippers given on board. They also prepare a list of cargo to be loaded and the tonnages. In the stevedoring report, they mention the cargo landed or loaded, duly collecting the tally sheets and mention in the stevedoring report the tonnages balance cargo to be loaded or unloaded. The work of the dock clerks are mainly clerical and not supervisory. The Gear Foreman does not supervise the work of any other person." On the side of the Management Thiru A. J. Samuel, the Supervisor of Dock Labour Board was examined as M.W. 1. He would say that the Supervisor will incident for the number of labourers to be assigned for loading and unloading from the Dock Labour Board and he will assign the number of workers for the said purpose. The another agency that supplies the labour for loading and unloading is Stevedores Association and those persons sent by Stevedores Association will only extract work from the labourers assigned by the Dock Labour Board. The Stevedores Association will engage their Supervisors for the purpose of supervising the Dock Labourers and they do not do any other work. He would enumerate the Dock Supervisors sent by the Respondent-Management but would say that he did not know the work done by other categories. He admits in cross-examination that Supervisors will consult the Chief Officer of the Ship and take instructions about the hatches to be opened and hatches will be opened in their presence by the Dock Labourers and the Stevedores Association employees and the Supervisors of Stevedores Association will send reports for disciplinary action. His evidence does not affect the evidence on the side of the Union that the Dock Supervisors are doing not only the supervising work but also other functions though they are designated as Supervisors. On the side of the Management, another witness Thiru P. Gopalaratnam, the Managing Partner has been examined as M.W. 2. His evidence is that the Dock Supervisors simply supervise the work of Mazdoors drafted from the Dock Labour Board. As his evidence is interested no weight can be attached to his evidence. Thus I find on the evidence placed before me that though they are designated as Dock Supervisors, they are doing other functions also and the main function appears from the evidence is not merely supervisory work, but other functions consisting of indenting labour and going on board the ship and locating the hatches giving direction to the Mazdoors to get into the hatches for purpose of unloading and similarly they do the work of loading cargo and preparing reports. The dock clerks do ministerial work in respect of the cargos to be loaded and unloaded. Exs. W-3, W-4, W-5 and W-6 would clearly establish that the Dock Clerk's work is in fact a clerical one. In this context the conduct of the Management is also relevant. Under Ex. W-8, the Memorandum of Settlement between the Management and the workmen represented by P. Devarajooloo Naidu and Son Employees' Union, Madras dated 19-9-1973 and Ex. W-9, dated 2-12-1975, the Memorandum of settlement between the Respondent Management and their workmen, they have been treated as workers by the Management. Ex. M-3; the Memorandum of Settlement dated 30-11-1970 and Ex. W-8 have a specific reference to Dock Supervisors. In the Awards of the Industrial Tribunal, Madras and the Additional Labour Court, Madras, i.e., Exs. W-10 and W-11 respectively they have been treated as workers. Therefore I hold

that the reference under the Industrial Disputes Act is perfectly competent and is maintainable.

9. POINT NO. 2: The contention of the Union is that the suspension is illegal on the ground that there is no order of appointment empowering the Management to suspend and there are no Standing Orders vesting the Management with a right to suspend the workers. The contention of the Management is that they had a right to suspend during the pendency of a domestic enquiry. The decision cited in the Supreme Court reported in 1968—II—L.L.J. page 700 (Balavantrai Ratilal Patel Vs. State of Maharashtra) is quoted to support the contention of the Management. At page 703, it has been laid down as follows:

"It is now well-settled that the power to suspend, in the sense of a right to forbid a servant to work, is not an implied term in an ordinary contract between master and servant, and that such a power can only be the creature either of a statute governing the contract, or of an express term in the contract itself. . . . It is equally well-settled that an order of interim suspension can be passed against the employee while an enquiry is pending into his conduct The only question that can arise in such suspension will relate to payment during the period of such suspension. If there is no express term relating to payment during such suspension or if there is no statutory provision in any enactment or rule, the employee is entitled to his full remuneration for the period of his interim suspension. On the other hand, if there is a term in this respect in the contract of employment or if there is a provision in the statute or the rules framed thereunder providing for the scale of payment during suspension, the payment will be made in accordance therewith."

From the decision cited above, it is clear that the Management has a right of suspension pending enquiry, but if the suspension is not legal, they will be entitled to wages for the period suspended under the legal presumption that their service continued. It is also to be noted that the quantum of remuneration payable for the period of suspension can be governed by the terms of the contract or the Standing Orders, but it does not in any way affect the inherent right of the Management to suspend. Therefore the main question to be decided is whether the suspension order passed by the Management is proper. That has to be decided from the evidence let in. M.W. 2 Thiru P. Gopalaramnam, the Managing Partner would file the Charge Sheet Ex. M-5. The charge sheet reads that on 30th March, 1976 when the ship 'M. V. Export Adventurer' arrived at the Madras Harbour the delinquents prevented the workers from the Dock Labour Board for unloading cargo from the ship and there was no unloading work from 3.30 P.M. to 7.30 P.M. The second charge was that on 22-4-1976 they gheroad Mr. P. Gopalaramnam, the Managing Partner, causing him severe physical and mental distress. The 3rd charge was that on 29-4-1976, at about 3.00 P.M. they gheroad Mr. P. Gopalaramnam till about 6.00 P.M. and the fourth charge was that on 8th April, 1976 they were staying inside the office of M/s. P. Davarajooloo Naidu & Son in an unauthorised manner. M.W. 2 would say that a domestic enquiry was ordered and they were suspended and is pending. W.W. 1 would say that on 30th March, 1976, the workers peacefully demanded the payment of salary from January, 1976. But M.W. 2 became angry and asked them to resume work. They obeyed the instructions of S. M. Narayanan, the General Secretary of the Union and resumed their work after 4 hours. M.W. 1 Thiru A. J. Samuel, the Supervisor would say in his evidence that in March, 1976 the ship "M.V. Export Adventurer" arrived at about 3.00 P.M. and the workmen of the Stevedores Association squatted on the Gangway and they refused to allow axes to the labourers of the Dock Labour Board. On receipt of the phone message he visited the ship and saw the workmen squatting. But at the same time he also admits that he does not know as to who was squatting on the Gangway excepting his vague statement that members of Stevedores Association. There is a denial on the part of the workmen, whereas M.W. 1 and M.W. 2 would say that they prevented the members of the Dock Labour Board. Unfortunately, M.W. 2 has not renewed any license for stevedoring and the enquiry has not progressed. In these circumstances, it is premature to come to the conclusion that the workers are guilty or not of those charges. If enquiry were continued and the workmen were found guilty of those charges, the result would be dismissal

from service. Now the question before this Tribunal is whether there is justification for suspension. It is contended by the learned counsel for the Management that question cannot be gone into in view of the fact that enquiry is not by the learned counsel for the Management that questioning reasons: It has been held in *Hotel Imperial Vs. Hotel Workers' Union* (1959-II L.L.J. 544) at page 548, in what circumstances the suspension can be made. It has been laid down as follows:

"It is now well settled that the power to suspend, in the sense of a right to forbid a servant to work, is not an implied term in an ordinary contract between master and servant, and that such a power can only be the creature either of a statute governing the contract, or of an express term in the contract itself. Ordinarily, therefore, the absence of such power either as an express term in the contract or in the rules framed under some statute would mean that the master would have no power to suspend a workman and even if he does so in the sense that he forbids the employee to work, he will have to pay wages during the so-called period of suspension. Where, however, there is power to suspend either in the contract of employment or in the statute or the rules framed thereunder, the suspension has the effect of temporarily suspending the relation of master and servant with the consequence that the servant is not bound to render service and the matter is not bound to pay."

In the present case, admittedly, there is no order of appointment or any Standing Orders giving the right to the Management to suspend. Therefore, it follows that the Management have no power to suspend the workmen and if they suspend them they cannot escape the payment of wages due to them. In the present case, I am not called upon to decide whether they are entitled to the wages for the period suspended. But this Tribunal is called upon to give a finding whether there was any justification in suspending the workers. If the workers claim the wages for the period they suspended it may be good defence for the Management to plead that at the time of suspension, that their behaviour was such that it was impossible for them to carry on the work. Such stand by the Management would have bearing only on the question of payment of wages for the period of suspension and the Tribunal would be called upon to apportion the blame in relation to wages during that period. A similar contention was raised in the Supreme Court in 1961—I—L.L.J. page 652 [*Cajce (T) Vs. Jormanik Siem (U)* and another]. It was argued that there could be interim suspension pending enquiry. It was held in the above decision that in the absence of a term in any contract of employment to suspend or in the statute or the rules framed thereunder, the master can pass an order of interim suspension but he will have to pay the servant according to the terms of contract between them. Therefore, my finding is that on facts and law, the suspension is not justified.

10. POINT NO. 3: It is contended by the learned counsel for the Union that if the Tribunal finds that there is no justification for the suspension, automatically the workmen will be entitled to wages for the period of suspension and they could enforce the right to recover the amounts in proper forums even though the Company is not functioning. The contention of the learned counsel for the Management is that the matter is not so simple as stated by the counsel for the Union and the reference should be strictly construed and a finding can be given only on matters referred to this Tribunal. He would point out that if the question of payment of wages for the period under suspension is referred the Management will have very many defences both on the question of the payment of wages and also the quantum and it would entail evidence and the Court will have to consider the quantum of wages during the period to be paid from the conduct of the parties and apportionment of blame which will have a bearing on payment of wages during the suspended period. I agree with the contention of the learned counsel for the Management that the matter is not so simple and the payment of wages during the suspended period has to be considered from different angles and when there is no reference specifically on the question of wages payable during the suspended period, it is not proper for the Tribunal to conclude that the workmen are automatically entitled to wages. In these circumstances, I refrain from giving a finding in this reference on the question of wages for the period of suspension.

11. An Award is passed holding that the suspension is not justified.

Dated, this 27th day of December, 1977.

Sd/-

K. SELVARATNAM, Industrial Tribunal
WITNESSES EXAMINED

For Workmen

W.W. 1—Thiru P. A. Jotheeswaran.

For Management

M.W. 1—Thiru A. J. Samuel.

M.W. 2—Thiru P. Gopalaratnam, Managing Partner.

DOCUMENTS MARKED

For Workmen

Ex. W-1/19-9-73—Memorandum of Settlement u/s. 12(3) of the I.D. Act, 1947 between the Management and the workmen represented by P. Devarajooloo Naidu and Son Employees' Union, Madras. (copy).

Ex. W-2/2-12-75—Memorandum of Settlement u/s. 12(3) of the I.D. Act, 1947 between parties. (copy).

Ex. W-3—Stevedores Report. (Blank form).

Ex. W-4—Export General Manifest. (Blank form).

Ex. W-5—Cargo Declaration form. (Blank form).

Ex. W-6—Mate's receipt form. (Blank form).

Ex. W-7/27-8-73—Salary certificate of W.W. 1.

Ex. W-8/19-9-73—Original of Ex. W-1.

Ex. W-9/2-12-75—Original of Ex. W-2.

Ex. W-10/2-12-70—Award in I.D. No. 2/70 of the Industrial Tribunal, Madras.

Ex. W-11/18-2-69—Award in I.D. No. 164/67 of the Additional Labour Court, Madras. (Gazette copy).

For Management

Ex. M-1/10-10-75—Stevedores reports in respect of M/s. Binny Ltd.

Ex. M-1/7-1-76—(Agents) and M/s. J. M. Baxi & Co., (Agents).

Ex. M-2—Pay Register.

Ex. M-3/30-11-70—Memorandum of Settlement between the Management and the workmen represented by P. Devarajooloo Naidu & Son Employees' Union.

Ex. M-4—Postings Register.

Ex. M-5/10-5-76—Charge-sheet.

Ex. M-6/10-5-76—Suspension order.

(Sd/-)

K. SELVARATNAM, Industrial Tribunal

Note :—Parties are directed to take return of their document(s) within six months from the date of the Award.

[No. L-33011(2)/76-D. IV(A)]

NAND LAL, Desk Officer

प्रावेश

नई दिल्ली, 20 जनवरी, 1978

का० आ० 332:—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मसर्स वेस्ट सुकेत लेबर कान्ट्रेक्टर सहकारी समिति लिमिटेड, सुकेत और मसर्स ईस्ट सुकेत श्रमिक ठेका पशान उद्योग सहकारी समिति लिमिटेड, के प्रबन्धतन्त्र से सम्बन्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एस० एस० व्यास होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"1. क्या मसर्स सुकेत लेबर कान्ट्रेक्टर सहकारी समिति लिमिटेड की सुकरा चूना पत्थर खान के श्रमिकों की लेखा वर्ष 1974-75 के लिए मजदूरी के 20 प्रतिशत की दर से प्रोफिट शेयरिंग बोनस के भुगतान की मांग न्यायोचित है? यदि नहीं, तो प्रत्येक लेखा वर्षों के लिये श्रमिक बोनस की कितनी धनराशि के हकदार हैं?"

"2. क्या मसर्स सुकेत श्रमिक ठेका पशान उद्योग सहकारी समिति लिमिटेड सुकेत की साहारवदा चूना पत्थर खान के श्रमिकों की लेखा वर्षों 1972-73, 1973-74 और 1974-75 के लिए मजदूरी के 20 प्रतिशत की दर से प्रोफिट शेयरिंग बोनस के भुगतान की मांग न्यायोचित है? यदि नहीं, तो श्रमिक प्रत्येक लेखा वर्षों के लिए बोनस की कितनी धनराशि के हकदार हैं?"

[संख्या एल० 29011/24/77-डी० 3(बी०)]

जगदीश प्रसाद, अबर सचिव

ORDER

New Delhi, the 20th January 1978

S.O. 332.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of M/s. West Suket Labour Contractor Sahakari Samiti Ltd., Suket and M/s East Suket Shramik Theka Pashan Udyog Shaqari Samiti Ltd., and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, Whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (i) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri S. S. Vyas shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"1. Whether the demand of the workman of Lukra Lime stone Mine of M/s. West Suket Labour Contractor Sahakari Samiti Ltd., Suket for payment of profit sharing bonus @ 20 per cent of wages for the accounting year 1974-75 is justified? If not, to what quantum of Bonus are the workers entitled?"

"2. Whether the demand of the workman of Saharvada Lime Stone Mine of M/s. East Suket Shramik Theka Pashan Udyog Sahakari Samiti Limited, Suket for payment of profit sharing bonus @ 20 per cent of wages for the Accounting years 1972-73, 1973-74 and 1974-75 is justified? If not, to what quantum of bonus are the workers entitled for each of the Accounting Years?"

[No. L-29011/24/77-D. IIIB]

JAGDISH PRASAD, Under Secy.

नई दिल्ली, 21 जनवरी, 1978

क्रा० प्रा० 333:—लौह अयस्क खान श्रम कल्याण उपकर अधिनियम 1961 (1961 का 58) की धारा 7 के अनुसरण में केन्द्रीय सरकार 31 मार्च, 1977 को समाप्त होने वाले वर्ष के दौरान उक्त अधिनियम के अधीन कार्यकलापों की निम्नलिखित रिपोर्ट उस वर्ष की लब्धा विवरणी सहित प्रकाशित करती है।

भाग-1

साधारण-लौह अयस्क खान श्रम कल्याण उपकर अधिनियम 1961, लौह अयस्क पर उपकर के उद्ग्रहण और संग्रहण के लिए तथा लौह अयस्क खान उद्योग में कार्यरत श्रमिकों के कल्याण के उन्नयन संबंधी कार्यकलापों को वित्तपोषित करने के लिए अधिनियमित किया गया था। अधिनियम 1 अक्टूबर, 1963 को प्रवृत्त हुआ था और 1 अक्टूबर, 1964 को उसे गोवा, दमन और दीव संघ राज्य क्षेत्रों पर विस्तारित किया गया था। उक्त अधिनियम में, उत्पादित लौह अयस्क के प्रति मीट्रिक टन पर 50 पैसे से अधिक दर पर उपकर के उद्ग्रहण की व्यवस्था की गई है। उपकर की विद्यमान दर 25 पैसे प्रति मीट्रिक टन है। उपकर के प्रागर्भों का उपयोग मुख्य रूप से सार्वजनिक स्वास्थ्य और सफाई में सुधार, रोगों की रोकथाम और शिक्षा संबंधी सुविधाओं, चिकित्सा सुविधाओं की व्यवस्था और उनमें सुधार, जल प्रदाय सामाजिक, दशाओं में सुधार और मनोरंजन संबंधी सुविधाओं की व्यवस्था आदि के लिए किया जाता है। कल्याण सुविधाएं सीधे नियोजित कर्मचारों अथवा ठेकेदारों के माध्यम से नियोजित कर्मचारों को दी जाती हैं।

2. लौह अयस्क खान श्रम कल्याण उपकर (संशोधन) अधिनियम, 1970, जिसमें लौह अयस्क पर उपकर के संग्रहण की विद्यमान प्रक्रिया में परिवर्तन करने के लिए उपबन्ध किया गया है, 1 अक्टूबर, 1974 को प्रवृत्त हुआ। संशोधित अधिनियम के अन्तर्गत, उपकर सीमाशुल्क के रूप में उद्ग्रहणीय है यदि लौह अयस्क का आयात किया जाए और उत्पाद शुल्क के रूप में उद्ग्रहणीय है यदि लौह अयस्क का उपभोग आंतरिक तौर पर किया जाए। संशोधित अधिनियम के प्रवृत्त किए जाने के परिणामस्वरूप, नई दिल्ली में एक केन्द्रीय उपकर आयुक्त की नियुक्ति की गई है जो लौह अयस्क के आंतरिक तौर पर उपभोग के संबंध में संगृहीत उपकर की रकम पर निगाह रखने के लिए उत्तरदायी है। कल्याण उपकर का सीमा शुल्क के रूप में संग्रहण करने के लिए सीमा शुल्क विभाग उत्तरदायी है और उस विभाग को संग्रहण प्रभार के रूप में 1/2 प्रतिशत दिया जाता है।

3. समीक्षा से संबंधित वर्ष के दौरान, 23 प्रावर्श रूप श्रम कल्याण संबंधी स्कीमों का क्रियान्वयन जारी रहा। मानसिक रोगियों के लिए चिकित्सा सुविधाओं की व्यवस्था करने के लिए एक और स्कीम सरकार के विचाराधीन है।

4. विभिन्न राज्यों में लौह अयस्क खनिकों के लिए निम्नलिखित कल्याणकारी कदम उठाए गए:—

चिकित्सा सुविधाएं:—लौह अयस्क कर्मचारों के, जिनका प्राथमिक वेतन 500 रुपये प्रतिमास है, तथा उनके आश्रितों को, संगठन द्वारा स्थापित निम्नलिखित अस्पतालों/श्रीवधालयों आदि में चिकित्सा सुविधाएं निःशुल्क उपलब्ध कराई जा रही हैं:—

बिहार:

- (1) प्राथमिक स्वास्थ्य केंद्र, बड़ाजामवा।
- (2) जल चिकित्सा श्रीवधालय, बड़ाजामवा।
- (3) ऐलोपैथिक श्रीवधालय, नुइया।
- (4) ऐलोपैथिक श्रीवधालय, करमपाड़ा (बराईबुरु के समीप)।

उड़ीसा:

- (1) प्राथमिक स्वास्थ्य केंद्र, जोड़ा।
- (2) प्राथमिक स्वास्थ्य केंद्र, जोहरी।
- (3) जल चिकित्सा श्रीवधालय, बारबिल।
- (4) एक एम्बुलेंस गाड़ी।

महाराष्ट्र:

- (1) प्राथमिक स्वास्थ्य केंद्र, रेडी।
- (2) जल चिकित्सा श्रीवधालय, रेडी।

मध्य प्रदेश:

- (1) जल चिकित्सा श्रीवधालय, रजहारा।
- (2) जल चिकित्सा श्रीवधालय, बेलाडिला (डिपोजिट सं० 14)।
- (3) जल चिकित्सा श्रीवधालय, बेलाडिला (डिपोजिट सं० 5)।
- (4) जल चिकित्सा श्रीवधालय, सतपुर।

गोवा:

- (1) केन्द्रीय श्रीवधालय, पिल्लिम दरबनवोरा, गोवा (25 शैय्याओं वाला) (25-3-74 को आरम्भ किया गया)।
- (2) जल चिकित्सा श्रीवधालय, कुरपेम।
- (3) दो एम्बुलेंस गाड़ियां।

5. कर्नाटक राज्य में करिगनूर स्थित 25 शैय्याओं वाला एक केन्द्रीय अस्पताल पूरा किया गया और 3-10-1975 को चालू किया गया। इसे 50 शैय्याओं का अस्पताल बनाये जाने का प्रस्ताव है। केन्द्रीय अस्पताल गोवा को भी 50 शैय्याओं का अस्पताल बनाए जाने का प्रस्ताव है। दो 50 शैय्याओं वाले केन्द्रीय अस्पताल, जिनमें से एक बड़ाजामवा (बिहार) तथा दूसरा ओड़ा (उड़ीसा) में है, का निर्माण 1975 के के अन्त तक आरम्भ हो गया था और अब उसकी प्रगति संतोषजनक है। इस वर्ष के अन्त से पूर्व तैयार हो जाने की आशा है। तीन ऐलोपैथिक श्रीवधालय बिहार क्षेत्र के लिए मंजूर किए गए हैं जो नोआमंडी, उइया तथा बराईबुरु में स्थित होंगे। इनमें से नोआमंडी श्रीवधालय के अलावा बाकी दो ने काम करना शुरू कर दिया है। सरकार ने सतपुर (कर्नाटक) में एक दस शैया वाला अस्पताल शुरू करने का भी अनुमोदन कर दिया है। आन्ध्र प्रदेश में दो अंशकालिक डाक्टरों की सेवाओं का उपयोग उस क्षेत्र में लौह अयस्क खनिकों को चिकित्सा सुविधाएं प्रदान करने के लिए किया जा रहा है।

6. बिहार, उड़ीसा, और गोवा प्रदेशों में तपेथिक से पीड़ित लौह अयस्क खनिकों और उनके कुटुम्बों के सदस्यों के ही, जिनका उपचार सेनिटोरियम पद्धति से अपेक्षित है, प्रयोग के लिए शैय्याएं आरक्षित की गई हैं। बिहार क्षेत्र के लिए 45 शैय्याएं और उड़ीसा क्षेत्र के लिए 32 शैय्याएं महादेवी बिरला-सैनेटोरियम रांची में आरक्षित की गई हैं। इसी प्रकार शैय्याएं गोवा के लौह अयस्क खनिक के लिए सेंट ल्यूक्स अस्पताल, बेनगुरला में भी आरक्षित की गई हैं। मध्य प्रदेश क्षेत्र में 4 शैय्याएं बेलाडिला के कर्मचारों के लिए हिन्दुस्तान स्टील लिमिटेड के भिलाई स्थित मुख्य अस्पताल में भी आरक्षित की गई हैं।

अनुमोदित स्कीम के अनुसार 5 साधारण शैय्याएं, खनिक और उनके आश्रितों के प्रयोग के लिए, कियोजर स्थित जिला मुख्यालय अस्पताल में आरक्षित हैं।

मानसिक रोगों से पीड़ित बिहार के लौह अयस्क खान कर्मचारों को अन्तरंग चिकित्सा के लिए मानसिक अस्पताल, कांके, रांची में व्यवस्था की गई है। अब इस सुविधा का विस्तार संगठन के अन्य प्रदेशों में भी किए जाने की प्रस्थापना की गई है।

आवास सुविधाएं:

लौह अयस्क खनिकों के लिए आवास सुविधाएं प्रदान करना संगठन के मुख्य कार्यकलापों में से एक है। मकान के निर्माणों के कार्य में तेजी लाने के उद्देश्य से कम लागत की गृह निर्माण स्कीम में (जिसका नाम बदलकर टाइप-1 गृह निर्माण स्कीम कर दिया गया है) अनुसूच्य सहायकों 1-11-1975 से 2250 रु० प्रति मकान से बढ़ाकर सामान्य भूमि वाले क्षेत्रों में 6825 रुपये प्रति मकान तथा कृष्णा कपासी या उमाखाली मिट्टी वाले क्षेत्रों में 7925 रुपये प्रति मकान की प्राक्कलित भावक लागत के 75 प्रतिशत तक अथवा मकान की वास्तविक निर्माण लागत

के 75 प्रतिशत तक, इसमें से जो भी कम हो कर दी गई है। कृषिय अन्य महत्वपूर्ण संशोधनों के परिणामस्वरूप, जो कि स्कीम में किए गए हैं, अनुसूचित सहायकी का 20 प्रतिशत कार्य-आरम्भ का आदेश जारी होने पर प्रबन्धकों को अधिक के रूप में दिया जायेगा। इस स्कीम के अन्तर्गत निमित्त मकानों के आवंटितियों द्वारा संदेय भासिक किराया एक रुपये होगा जिसके अन्तर्गत बिजली और पानी के प्रभार भी हैं। यह किराया खनिकों के स्वामियों द्वारा मकानों की देखरेख और सम्मत के लिए उपयोग में लाया जाएगा। "अपना मकान स्वयं बनाओ स्कीम" के अन्तर्गत लोह अयस्क खनिकों को संदेय सभी वित्तीय सहायता की रकम 450 रु० प्रति मकान से बढ़ाकर 1500 रुपये कर दी गई है। इसमें से 600 रुपये सहायकी के रूप में और 900 रुपये व्याज मुक्त ऋण के रूप में होगा जो मासिक किश्तों में वसूल किए जाएंगे। कोयला खनिकों के लिए भी नव आवासन स्कीम के अधीन जिसका विस्तार लोह अयस्क खनिकों के लाभ के लिए भी कर दिया गया है, सहायकी 4000 रुपये प्रति घर से बढ़ा कर, सामान्य क्षेत्रों में 11325 रु० की प्राक्कलित मानक लागत के और कृष्ण कपासी या उभार वाली मिट्टी वाले क्षेत्रों में 13425 रु० प्राक्कलित मानक लागत के 75 प्रतिशत या निर्माण की आन्तरिक लागत के 75 प्रतिशत तक जो भी कम हो, बढ़ा दी गई है।

विभिन्न आवासन स्कीमों के अन्तर्गत कुल 9788 मकान निर्माण के लिए किए गए थे। इनमें से अब तक 7228 मकान तैयार हो चुके हैं और 731 मकान निर्माणाधीन थे।

जल प्रदाय प्रसुविधाएं:

विभिन्न क्षेत्रों में मंजूर कं गई जल प्रदाय स्कीमों में से मोल्ह पुरी हो चुकी है। रजहरा नगर जल प्रदाय स्कीम तथा बोलानी जल प्रदाय स्कीम भी पूरी हो चुकी हैं। अन्य जल प्रदाय स्कीमों में प्रगति पर है। विभिन्न क्षेत्रों में 69 कुएं भी खोदे गए।

शैक्षिक और मनोरंजन सुविधाएं:

लोह अयस्क खान कर्मचारियों और उनके कुटुम्बों के लिए शैक्षिक और मनोरंजन संबंधी सुविधाओं में 38 बहुउद्देशीय संस्थाएं, 1 कल्याण केन्द्र, 5 महिला एवं बाल-कल्याण केन्द्र, 7 चलचित्र यूनिट, 2 अन्नकाश आवास गृह, एक कृष्य अध्ययन सेंटर और 128 रेडियो केन्द्र सम्मिलित हैं जो कि लोह अयस्क खान कल्याण संगठन के विभिन्न क्षेत्रों में हैं। मध्य प्रदेश क्षेत्र में खानों के स्वामियों को खेलकूद, टनमिन्ट आदि के आयोजन के लिए सहायता अनुदान मंजूर किए गए थे। मध्य प्रदेश क्षेत्र में दली रजहरा में वतुर्थ अन्तर्राष्ट्रीय खेलकूद समारोह का आयोजन किया गया था। एक अनुमोदित स्कीम के अनुसार लोह अयस्क खान के कर्मचारियों के उन बालकों को भी वजीफा देने की सुविधा जारी रखी गई जो स्कूलों, कालेजों और तकनीकी संस्थानों में अध्ययन कर रहे हैं। मध्य प्रदेश और गोवा क्षेत्रों में स्कूलों के बच्चों का मध्याह्न-भोजन देने की स्कीम जारी रखी गई। मध्याह्न भोजन की दर 50 पैसे प्रति बालक प्रतिदिन से बढ़ा कर 75 पैसे कर दी गई। कुछ क्षेत्रों में प्राथमरी स्कूल में पढ़ने वाले बालकों के लिए वदिया भी दी गई।

कार्यालय भवन और कर्मचारिवृन्द के लिए बथरूम:

सरकार ने बारबिन (उड़ीसा) में 22.41 लाख रुपये की लागत से कार्यालय भवन और कर्मचारिवृन्द के लिए क्वार्टर का निर्माण मंजूर किया है। इसी प्रकार का एक भवन और कर्मचारिवृन्द के लिए क्वार्टर बिहार क्षेत्र में ब्रह्मापरा में निर्माण के लिए प्रस्तावित है जिसके लिए 2.91 लाख रुपये की रकम मंजूर की गई है।

सहकारी मंदार:

केन्द्रीय उपभोक्ता सहकारी अण्डार, बिहार क्षेत्र में चार प्रारम्भिक भंडारों और गोवा क्षेत्र में दो प्रारम्भिक भंडारों सहित, गोवा क्षेत्र में कार्य करने रहे।

घातक और गंभीर दुर्घटना प्रसुविधा योजना:

दुर्घटनाओं के शिकार हुए व्यक्तियों की विधवाओं और बच्चों को आर्थिक सुविधाएं देने की प्रणाली जारी रही।

भाग-2

1	2
	रुपये
पहली अप्रैल, 1976 को प्रारम्भिक अतिशेष	2,88,37,929
1976-77 वर्ष के दौरान प्राप्तियां	2,33,32,616
1976-77 वर्ष के दौरान व्यय	1,60,52,140
	(अन्तिम प्राक्कलन 1976-77)
31 मार्च, 1976 को अतिशेष	3,61,18,405

भाग-3

1977-78 वर्ष के लिए प्राप्तियों और व्यय का प्राक्कलन

	रुपये
प्राक्कलित प्राप्तियां	1,85,00,000.
	RE 77-78
प्राक्कलित व्यय	2,06,45,000
	(उपकर के प्रतिदाय मद् 8.00 लाख रुपये और ऋण आवि मद् 5.00 लाख रुपये सम्मिलित हैं)।

[फाइल सं० जेड० 16016(1)/77-एम०चार]

पी० के० सेन, अवतर सचिव

New Delhi, the 21st January, 1978

S.O. 333.—In pursuance of section 7 of the Iron Ore Mines Labour Welfare Cess Act, 1961 (58 of 1961), the Central Government hereby publishes the following report of its activities under the said Act, during the year ending 31st day of March, 1977, together with a statement of accounts for that year.

PART 1

General.—The Iron Ore Mines Labour Welfare Cess Act, 1961 was enacted to provide for levy and collection of cess from the iron ore and for financing activities to promote the welfare of the labour working in the iron ore mining industry. The Act came into force on the 1st October 1963 and was extended to the Union Territory of Goa, Daman & Diu on the 1st October, 1964. The Act provides for the levy of cess at a rate not exceeding 50 paise per metric tonne of iron ore produced. However, the present rate of levy is 25 paise per metric tonne. The proceeds of the cess are utilised mainly for the improvement of public health and sanitation, the prevention of diseases; and the provision and improvement of educational facilities, medical facilities, water supply, amelioration of social conditions and provision for recreational facilities, etc. The welfare facilities cover workers employed directly or through contractors.

2. The Iron Ore Mines Labour Welfare Cess (Amendment) Act, 1970 providing for a change in the existing procedure collection of cess on iron ore, came into force on 1-10-1974. Under the Amended Act, the cess is levied as a duty of customs where the iron ore is exported and as a duty of excise where the iron ore is consumed internally. Consequent upon the bringing into force of the amended Act, a Central Cess Commissioner has been appointed at New Delhi who is responsible for watching the amount of cess collected in respect of internal consumption of iron ore. The collection of welfare cess as a duty of customs is the responsibility of the Department of Customs who are paid 1/2 per cent towards collection charges.

3. During the year under review, 23 welfare prototype schemes continued to be implemented. One more scheme of providing medical facilities to mental patients is under consideration of the Government.

4. The following welfare measures were provided for the iron ore miners in various States:

Medical facilities.—These facilities are being provided free of cost to the iron ore workers getting a basic pay of

Rs. 500 per month and their dependents, in the following hospitals/dispensaries etc. established by the Organisation :

BIHAR

- (1) Emergency Hospital, Barajamda
- (2) Mobile Medical Dispensary, Barajamda
- (3) Allopathic Dispensary, Nuia
- (4) Allopathic Dispensary, Karampada (near Baraiburu).

ORISSA

- (1) Primary Health Centre, Joda
- (2) Primary Health Centre, Joruri.
- (3) Mobile Medical Dispensary, Barbil
- (4) One Ambulance Van.

MAHARASHTRA

- (1) Primary Health Centre, Redi
- (2) Mobile Medical Dispensary, Redi.

MADHYA PRADESH

- (1) Mobile Medical Dispensary, Rajhara
- (2) Mobile Medical Dispensary, Bailadila (Deposit No. 14)
- (3) Mobile Medical Dispensary, Bailadila (Deposit No. 5)
- (4) Two Ambulance Vans.

KARNATAKA

- (1) Central Hospital, Kariganur (25 bedded) [Commissioned on 3-10-75 by the Vice President.]
- (2) Mobile Medical Dispensary, Hospet.
- (3) Mobile Medical Dispensary, Sandur.

GOA

- (1) Central Hospital, Pillim Darbandora, Goa (20 bedded) [Commissioned on 25-3-74]
- (2) Mobile Medical Dispensary, Kurpem
- (3) Three Ambulance Vans.

5. A 25-bed, Central Hospital at Kariganur in Karnataka State was completed and commissioned on 3-10-75. It is proposed to expand this hospital to 50 beds. The Central Hospital, Goa is also proposed to be expanded to 50-beds. Construction of the two 50-bed Central Hospitals at Barajamda (Bihar) and Joda (Orissa) which was started in late 1975 is progressing quite satisfactorily. These hospitals are expected to be ready before the end of this year. Out of the three Allopathic Dispensaries sanctioned in Bihar region to be located at Noamundi, Nuia and Baraiburu, except the one at Noamundi, the remaining two have already started functioning. The Government has also given approval to the setting up of a 10-bed hospital at Sandur (Karnataka). In Andhra Pradesh services of two part-time doctors are being utilised for providing medical services to the iron ore miners in the area.

6. Beds have also been reserved for the exclusive use of iron ore miners and their families in Bihar, Orissa and Goa regions suffering from T. B. who require sanatorium line of treatment. 45 beds for Bihar region and 32 beds for Orissa region have been reserved in the Mahadevi Birla Sanatorium, Ranchi. Similarly 5 beds have also been reserved at St. Luke's Hospital, Vengurla, for iron ore miners of Goa. In Madhya Pradesh region, 4 beds have also been reserved for the workers of Bailadila in the Bhilai main hospital of the Hindustan Steel Ltd.

In accordance with the approved scheme, 5 general beds have been reserved in the District Headquarters, Hospital at Keonjhar for use of the miners and their dependents.

Arrangements have also been made for indoor treatment of iron ore mine workers of Bihar suffering from mental diseases in the Mental Hospital, Kanke, Ranchi. It is now proposed to extend this facility to other regions of the Organisation, as well.

HOUSING FACILITIES

Provision of housing accommodation for iron ore miners is one of the main activities of the Organisation. With a view to increase the pace of construction houses, the subsidy permissible under the Low Cost Housing Scheme (re-named as Type I Housing Scheme) has been increased with effect from 1-11-75 from Rs. 2,250 per house to 75 per cent of the standard estimated cost of Rs. 6,825 per house

in ordinary soil areas and Rs. 7,925 in the black cotton or swelly soil areas, or 75 per cent of the actual cost of construction of the house, whichever is less. As a result of certain other important amendments carried out to the scheme, 20 per cent of the admissible subsidy is to be given to the managements as advance with the issue of the work order. The monthly rent payable by the allottees of the houses constructed under this scheme is Re. 1/- per month which includes charges for electricity and water. This rent will be utilised by the mine owners towards maintenance and repairs of the houses. The quantum of all financial assistance payable to the iron ore miners under the 'Build Your Own House Scheme' has also been increased from Rs. 450 per house to Rs. 1,500 (Rs. 600 in the form of subsidy and Rs. 900 in the form of interest-free-loan recoverable in monthly instalments spread over a period of not exceeding 9 years). The subsidy under the New Housing Scheme for coal miners which has also been extended for the benefits of iron ore miners, has been raised from Rs. 4,000 per house to 75 per cent of the standard estimated cost of Rs. 11,325 in ordinary areas and Rs. 13,425 in black cotton or swelly soil areas or 75 per cent of the actual cost of construction whichever is less.

Under the various housing schemes, a total number of 9788 houses were sanctioned for construction. Out of these 7228 houses have so far been completed and 731 houses were under construction.

WATER SUPPLY FACILITIES

Out of 26 Water Supply Schemes sanctioned in various regions, 16 have been completed. The Rajhara Township Water Supply Scheme and the Bolani Water Supply Scheme have also been completed. Various other Water Supply Schemes are in progress, 69 wells have been sunk in different regions.

EDUCATIONAL AND RECREATIONAL FACILITIES.—The educational and recreational facilities provided to the iron ore mine workers and their families include 38 Multipurpose Institutes, 1 Welfare Centre, 5 Women-cum-children Welfare Centres, 7 Cinema Units 2 Holiday Home, 1 Audio Visual Set and 128 Radio Centres in the various regions of the Iron Ore Mines Labour Welfare Organisation. Grants-in-aid were also sanctioned to mine owners for organising sports, games, tournaments, etc. in the Madhya Pradesh region. The 4 Inter-State Sports meet of iron ore miners was held at Delhi Rajhara in Madhya Pradesh region. Scholarships continued to be given to the children of iron ore mine workers studying in schools, colleges and technical institutions in accordance with the approved scheme. The mid-day meals scheme for the school children was continued in Madhya Pradesh and Goa regions. The rate of mid-day meals has been enhanced from 50 to 75 paise per child per day. Uniforms were also supplied to the Primary School-going children of iron ore miners in some regions.

OFFICE BUILDING AND STAFF QUARTERS.—The Government have sanctioned construction of office building and staff quarters at Barbil (Orissa) at a cost of Rs. 22.41 lakhs. A similar building and staff quarters is also proposed to be constructed at Barajamda in Bihar region for which an amount of Rs. 2.91 lakhs has been sanctioned.

CO-OPERATIVE STORES.—The Central Consumer Co-operative Store with four primary stores in Bihar region and 2 primary stores in Goa region, continued to function.

FATAL & SERIOUS ACCIDENT BETWEEN SCHEME.—The system of financial benefits to widows and children of victims of accidents continued to operate.

PART II

Opening balance as on 1st April, 1976—Rs. 2,88,37,929.
Receipt during the year 1976-77—Rs. 2,33,32,616.
Expenditure during the year 1976-77—Rs. 1,60,52,140.
Closing balance as on 31st March, 1977—Rs. 3,61,18,405.

PART III

Estimates of Receipts and Expenditure for the year 1977-78—

Estimated Receipts—Rs. 1,85,00,000 (RE 77-78).

Estimated Expenditure—Rs. 2,06,45,000 (Includes Rs. 8.00 lakhs on account of refund of cess and Rs. 5.00 lakhs towards loans etc.)

[F. No. Z/16016/77-MIV]
P. K. SEN, Under Secy.

